

# **EXHIBIT 1, PART 1**



US00RE38812E

(19) **United States**  
 (12) **Reissued Patent**  
 Acres et al.

(10) **Patent Number:** **US RE38,812 E**  
 (45) **Date of Reissued Patent:** **Oct. 4, 2005**

(54) **METHOD AND APPARATUS FOR  
 OPERATING NETWORKED GAMING  
 DEVICES**

AU	B 53370/86	8/1986	
AU	B 53370/89	* 8/1986	
AU	B 71194/91	8/1991	
AU	647234	* 7/1992	273/138 A

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**David Wiebenson, Corvallis, OR (US)**

(Continued)

(73) Assignee: **Acres Gaming Incorporated, Las Vegas, NV (US)**

**OTHER PUBLICATIONS**

Report and Recommendation (Finding of Fact & Conclusions of Law Re: Claim Construction), May 2000 \*

(21) Appl. No : **09/574,632**

(Continued)

(22) Filed: **May 16, 2000**

**Related U.S. Patent Documents**

Reissue of:  
 (64) Patent No : **5,836,817**  
 Issued: **Nov. 17, 1998**  
 Appl No : **08/465,717**  
 Filed: **Jun. 6, 1995**

*Primary Examiner*—Jessica Harrison  
 (74) *Attorney, Agent, or Firm*—Marger Johnson & McCollom, PC

**(57) ABSTRACT**

A system for monitoring and configuring gaming devices interconnected over a high-speed network is disclosed. The system can support a file server, one or more floor controllers, one or more pit terminals, and other terminals all interconnected over the network. Each gaming device includes an electronic module which allows the gaming device to communicate with a floor controller over a current loop network. The electronic module includes a player tracking module and a data communication node. The player tracking module includes a card reader for detecting a player tracking card inserted therein which identifies the player. The data communication node communicates with both the floor controller and the gaming device. The data communication node communicates with the gaming device over a serial interface through which the data communication node transmits reconfiguration commands. The gaming device reconfigures its payout schedule responsive to the reconfiguration commands to provide a variety of promotional bonuses such as multiple jackpot bonuses, mystery jackpot bonuses, progressive jackpot bonuses, or player specific bonuses.

**U.S Applications:**

(62) Division of application No 08/322,172, filed on Oct 12, 1994, now Pat No 5,655,961.

(51) **Int. Cl.** **A63F 9/00**

(52) **U.S. Cl.** **463/26; 463/16; 463/42**

(58) **Field of Search** **463/16, 25, 26, 463/27, 28, 42**

**(56) References Cited****U.S. PATENT DOCUMENTS**

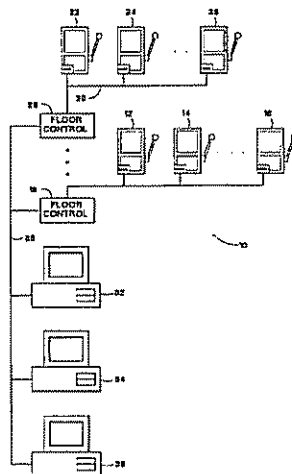
3,598,964 A	8/1971	Dell	235/61.6 R
3,659,284 A	4/1972	Rusch	340/324 A
3,796,433 A	3/1974	Fraley et al	273/138 A
3,819,186 A	6/1974	Hinterstocker	273/138 A
4,072,930 A	2/1978	Lucero et al	340/152 T

(Continued)

**FOREIGN PATENT DOCUMENTS**

AU B 27572/84 11/1984

49 Claims, 34 Drawing Sheets



## US RE38,812 E

Page 2

## U S PATENT DOCUMENTS

4,230,265 A	10/1980	Casaly	235/455	5,398,932 A	3/1995	Eberhardt et al	
4,258,838 A	3/1981	Rockola et al	194/1 R	5,401,024 A	3/1995	Simunek	
4,283,709 A	8/1981	Lucero et al	340/147 R	5,410,590 A	4/1995	Blood et al	
4,335,809 A	6/1982	Wain	194/1 R	5,429,361 A	7/1995	Raven et al	273/138 A
4,409,656 A	10/1983	Andersen	364/200	5,470,079 A	11/1995	LeStrange et al	273/138 A
4,467,424 A	8/1984	Hedges et al	364/412	5,472,194 A	12/1995	Breeding et al	
4,575,622 A	3/1986	Pellegrini	235/382	5,473,144 A	12/1995	Mathurin, Jr	235/380
4,582,324 A	4/1986	Koza et al		5,477,040 A	12/1995	Lalonde	235/380
4,624,459 A	11/1986	Kaufman	273/143 R	5,488,411 A	1/1996	Lewis	
4,636,951 A	1/1987	Harlick	364/412	5,494,287 A	2/1996	Manz	273/143
4,652,998 A	3/1987	Koza et al	364/412	5,507,489 A	4/1996	Reibel et al	
4,669,596 A	6/1987	Capers et al	194/210	5,511,781 A	4/1996	Wood et al	
4,669,730 A	6/1987	Small	273/138	5,524,888 A	6/1996	Heidel	
4,679,143 A	7/1987	Hagiwara	364/412	5,533,727 A	7/1996	DeMar	463/23
4,760,247 A	7/1988	Keane et al	235/454	5,536,016 A	7/1996	Thompson	273/269
4,760,527 A	7/1988	Sidley	364/412	5,542,669 A	8/1996	Charron et al	
4,764,666 A	8/1988	Bergeron	235/380	5,550,359 A	8/1996	Bennett	235/382
4,775,937 A	10/1988	Bell	364/412	5,551,692 A	9/1996	Pettit et al	273/143 R
4,805,907 A	2/1989	Hagiwara	273/138	5,559,312 A	9/1996	Lucero	235/380
4,815,741 A	3/1989	Small	273/138 A	5,564,700 A	* 10/1996	Celona	463/27
4,837,728 A	* 6/1989	Barrie et al	463/27	5,577,959 A	11/1996	Takemoto et al	463/25
4,839,640 A	6/1989	Ozer et al	340/825.31	5,580,309 A	12/1996	Piechowiak	463/16
4,844,464 A	7/1989	Berge	273/138 A	5,580,310 A	12/1996	Orus et al	463/16
4,856,787 A	8/1989	Itkis	273/237	5,586,936 A	12/1996	Bennett	463/25
4,880,237 A	11/1989	Kishishita	273/138 A	5,586,937 A	12/1996	Menashe	
4,882,473 A	11/1989	Bergeron et al	235/380	5,603,659 A	2/1997	Okada	
4,922,420 A	5/1990	Nakagawa et al		5,611,730 A	3/1997	Weiss	463/20
4,926,327 A	5/1990	Sidley	364/412	5,651,057 A	7/1997	Blood et al	
4,926,996 A	5/1990	Eglise et al		5,655,961 A	8/1997	Acres et al	463/27
4,948,138 A	8/1990	Pease et al		5,668,950 A	9/1997	Kikuchi	395/200.47
4,964,638 A	* 10/1990	Ishida	463/27	5,674,128 A	10/1997	Holch et al	463/42
4,991,848 A	2/1991	Greenwood et al	273/143 R	5,702,304 A	12/1997	Acres et al	463/29
5,007,649 A	4/1991	Richardson	273/237	5,722,891 A	* 3/1998	Inoue	463/20
5,016,880 A	5/1991	Berge	138/273 A	5,741,183 A	4/1998	Acres et al	463/42
5,038,022 A	8/1991	Lucero	235/380	5,743,523 A	4/1998	Kelly et al	273/138.1
5,042,810 A	8/1991	Williams	273/142	5,752,882 A	5/1998	Acres et al	463/42
5,043,887 A	8/1991	Richardson		5,758,875 A	6/1998	Giatalone, Jr	273/143 R
5,072,381 A	12/1991	Richardson et al		5,761,647 A	6/1998	Boushy	705/10
5,078,405 A	1/1992	Jones	273/309	5,766,076 A	* 6/1998	Pease et al	463/27
5,096,195 A	3/1992	Gimmon	273/138 A	5,770,533 A	6/1998	Franchi	463/42
5,103,081 A	4/1992	Fisher et al	235/464	5,811,772 A	9/1998	Lucero	235/380
5,116,055 A	5/1992	Tracy	273/138 A	5,816,917 A	10/1998	Kelmer et al	463/16
5,123,649 A	6/1992	Tiberio	273/143 R	5,816,918 A	10/1998	Kelly et al	463/16
5,129,652 A	7/1992	Wilkinson	273/139	5,820,459 A	10/1998	Acres et al	463/25
5,135,224 A	8/1992	Yamamoto et al	273/143 R	5,833,540 A	11/1998	Miodunski et al	463/42
5,159,549 A	10/1992	Hallman, Jr et al		5,839,956 A	11/1998	Takemoto	463/25
5,179,517 A	1/1993	Sarbin et al	364/410	5,851,148 A	* 12/1998	Brune et al	463/25
5,197,094 A	3/1993	Tillery et al	379/91	5,851,149 A	* 12/1998	Xidos et al	463/42
5,216,613 A	6/1993	Head, III	369/275.2	5,854,542 A	12/1998	Forbes	315/291
5,217,224 A	6/1993	Sincock	273/138 A	5,902,983 A	5/1999	Crevelt et al	235/380
5,224,706 A	7/1993	Bridgeman et al		5,919,091 A	7/1999	Bell et al	463/25
5,242,163 A	9/1993	Fulton	273/85 CP	6,012,982 A	* 1/2000	Piechowiak et al	463/16
5,249,800 A	* 10/1993	Hilgendorf et al	463/27	6,039,648 A	* 3/2000	Guinn et al	463/16
5,257,179 A	10/1993	DeMar	364/410	6,048,269 A	4/2000	Burns et al	463/25
5,265,874 A	11/1993	Dickinson et al	273/138 A	6,077,162 A	* 6/2000	Weiss	463/26
5,275,400 A	* 1/1994	Weingardt et al	463/12				
5,280,909 A	* 1/1994	Tracy	463/27				
5,286,023 A	2/1994	Wood					
5,287,269 A	2/1994	Dorrough et al	364/408				
5,292,127 A	3/1994	Kelly et al	273/138 R				
5,321,241 A	6/1994	Craine					
5,324,035 A	6/1994	Morris	273/138				
5,326,104 A	7/1994	Pease et al	273/138 A				
5,332,219 A	7/1994	Marnell, II et al					
5,344,144 A	9/1994	Canon	273/138 A				
5,345,379 A	9/1994	Brous et al	364/146				
5,351,970 A	10/1994	Fioretti					
5,370,306 A	12/1994	Schulze et al	273/138 A				
5,370,399 A	12/1994	Liverance					
5,371,345 A	12/1994	LeStrange et al	235/380				

## FOREIGN PATENT DOCUMENTS

AU	B 10488/92	7/1992	
AU	B 13023/92	9/1992	
AU	2020986	* 1/1993	273/434
AU	B 20986/92	1/1993	
AU	21618/95	1/1996	
AU	A 48323/97	6/1998	
GB	2 151 054 A	7/1985	
GB	2 211 975 A	7/1989	
WO	WO 94/12256	6/1994	
WO	WO 95/22811	8/1995	
WO	WO 95/30944	11/1995	
WO	WO 98/35309	8/1998	
WO	WO 98/40140	9/1998	

## US RE38,812 E

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## OTHER PUBLICATIONS

Expert Report of Michael J. Bennett Pursuant to Fed. R. Civ. p. 26(A)(2)(sic), Feb. 1999 \*

Expert Report of Michael J. Bennett Pursuant to Fed. R. Civ. p. 26(A)(2)(sic), Jul. 1999 \*

Expert Witness Report of Leroy A. Prohovsky, Feb. 1999 \*

Expert Witness Report of Leroy A. Prohovsky, Jun. 1999 \*

Supplement to Expert Witness Report of Leroy A. Prohovsky, Jun. 1999 \*

Second Supplement to Expert Witness Report of Leroy A. Prohovsky, Jun. 1999 \*

Rebuttal Statement by Expert Witness William K. Bertram, Ph. D., Mar. 1999 \*

Rebuttal Statement by Expert Witness John F. Acres, Jul. 1999 \*

Rebuttal Statement by Expert Witness William K. Bertram, Ph. D., Jul. 1999 \*

Expert Witness Report of R. Franklin Burnett, Jun. 1999 \*

Rebuttal Statement by Expert Witness Thomas F. Smegal, Jr., Jul. 1999 \*

R. Stäuble, MPL 4215 Interface, Oct. 1991, pp. 1-16

BYTE, Hardware/Software Showcase, Dec. 1992, p. 308

Inder S. Gopal and Adrian Segall, IEEE Transactions on Communications, "Dynamic Address Assignment in Broadcast Networks," Jan. 1986, vol. Com-34, No. 1, pp. 32-37

Fred Swainston, A Systems Approach to Programmable Controllers, 1992, pp. ix-226

Casino Data Systems and Sunset Station Hotel & Casino's ("CDS") Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882

CDS' Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 Filed In Camera

CDS' Supplemental Brief Regarding CDS' First Motion for Summary Judgment of Invalidity

Casino Data Systems and Sunset Hotel & Casino's Evidence in Support of CDS' Motion for Summary Judgment of Invalidity and Opposition to Acres' Motion for Preliminary Injunction ("CDS Exhibits") [Filed In Camera—Subject to Protective Order], including Exhibit T, of Acres Gaming Incorporated Form SB-2 filed with the Securities and Exchange Commission on Sep. 20, 1993

Acres' Response to the Proposed Findings of Fact of Casino Data Systems Regarding CDS' Motion for Summary Judgment of Invalidity

Acres Gaming, Inc.'s Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment

Acres Gaming, Inc.'s Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment

Acres Gaming, Inc.'s Second Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment

Acres Gaming, Inc.'s Third Supplement to its Opposition to Casino Data Systems' and Sunset Station Hotel and Casino's Motion for Summary Judgment

Expert Report of W. Alan Jorgensen Pursuant to Federal Rule of Civil Procedure 26(a)(2)

Expert Report of Samuel Wolff Pursuant to Federal Rule of Civil Procedure 26(a)(2)

Transcript of Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 Before the Honorable Howard D. McKibben on Jan. 19, 1999

Deposition of Disclosure, Inc. and Exhibits.

Additional Exhibits to deposition of Disclosure, Inc.

CDS' Third Motion and Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar)

Exhibits in Support of CDS' Third Motion and Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar)

Acres Gaming's Opposition to CDS' Third Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar)

Deposition of Jose Vega Dated Jan. 25, 1999 with Exhibit Nos. 191, 193, 194, 195, 197, 198

CDS Motion and Memorandum of Points and Authorities in Support of CDS Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Proposed Findings of Facts in Support of CDS' Memorandum of Points and Authorities in Support of CDS' Third Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Exhibits in Support of CDS' Motion and Memorandum of Points and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar), with Affidavit of Gregory C. Schodde [Filed Under Seal—Subject to Protective Order]

Deposition of Derrell M. Jones and Exhibits 618, 619 & 620

Deposition of John F. Acres and Exhibits 706 (color copies), 709 & 715

Acres' Responses to CDS' Proposed Findings of Fact Regarding CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

CDS' Reply Memorandum in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Acres Gaming's Opposition to CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,752,882 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Acres' Responses to Proposed Findings of Fact of Casino Data Systems Regarding CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,836,817 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

CDS' Reply Memorandum in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,836,817 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Proposed Findings of Fact in Support of CDS' Memorandum of Points and Authorities in Support of CDS' Third Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,836,817 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

CDS' Motion and Memorandum of Point and Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,836,817 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

Acres Gaming's Opposition to CDS' Motion for Summary Judgment of Invalidity of U.S. Pat. No. 5,836,817 (On-Sale Bar) [Filed Under Seal—Subject to Protective Order]

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Exhibits in Support of CDS' Memorandum of Point and  
Authorities in Support of CDS' Motion for Summary Judgment of Invalidity of U.S. Pat No. 5,836,817 (On-Sale Bar)  
[Filed Under Seal—Subject to Protective Order]

Jan 1993 Product Catalog (Mikohn)  
1989 Mikohn Super Controller Manual  
\* cited by examiner

U.S. Patent

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US RE38,812 E

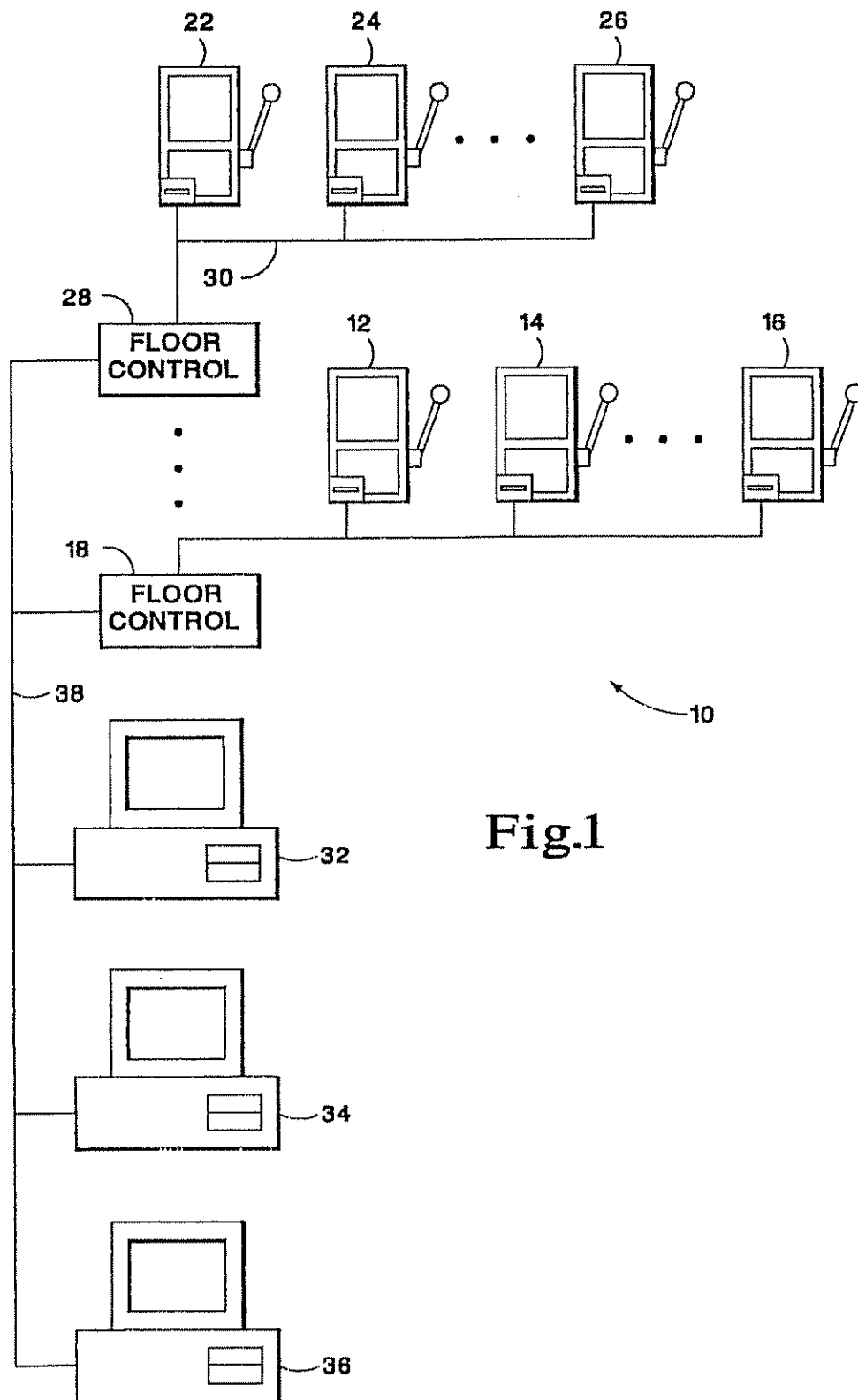


Fig.1

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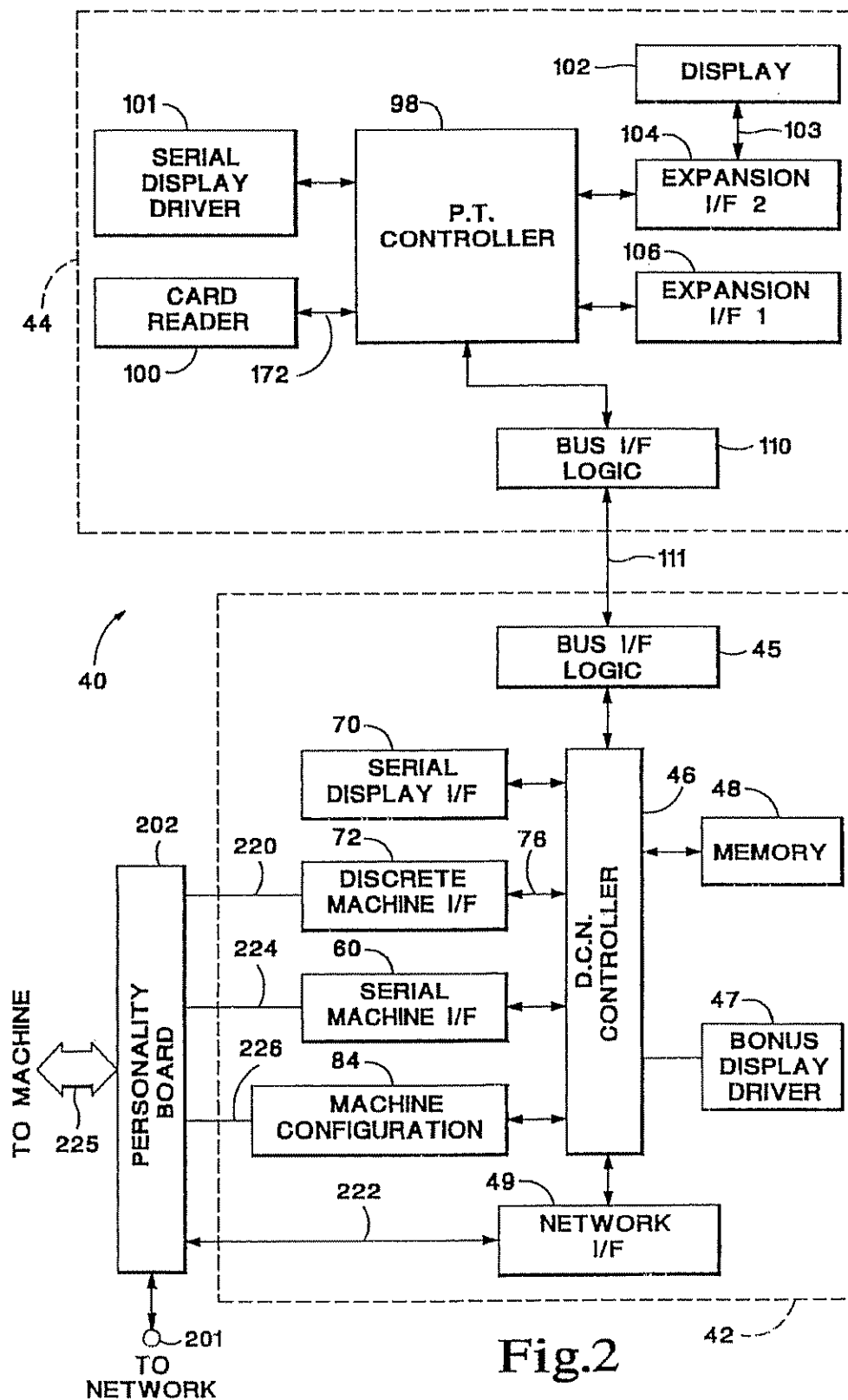


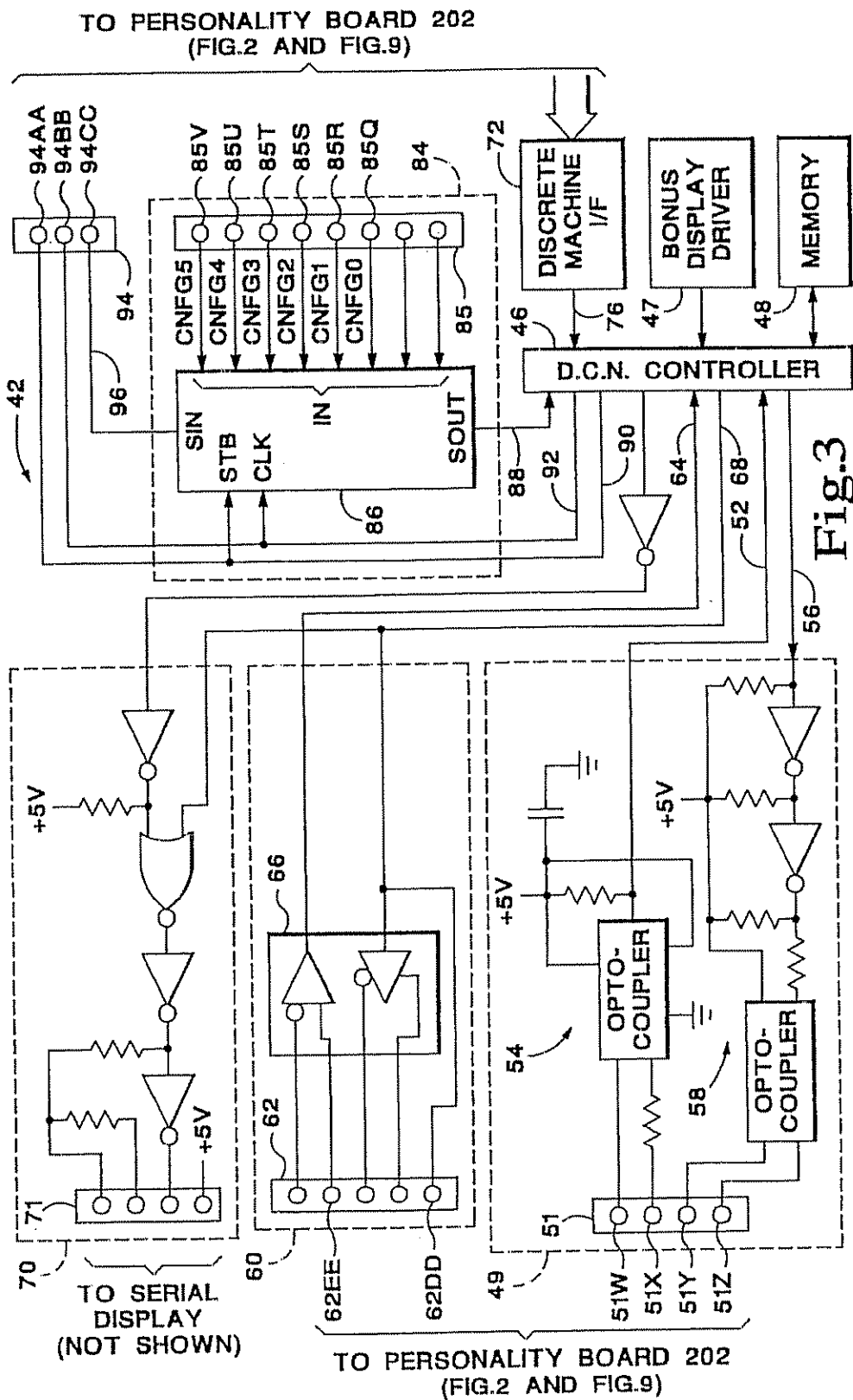
Fig.2

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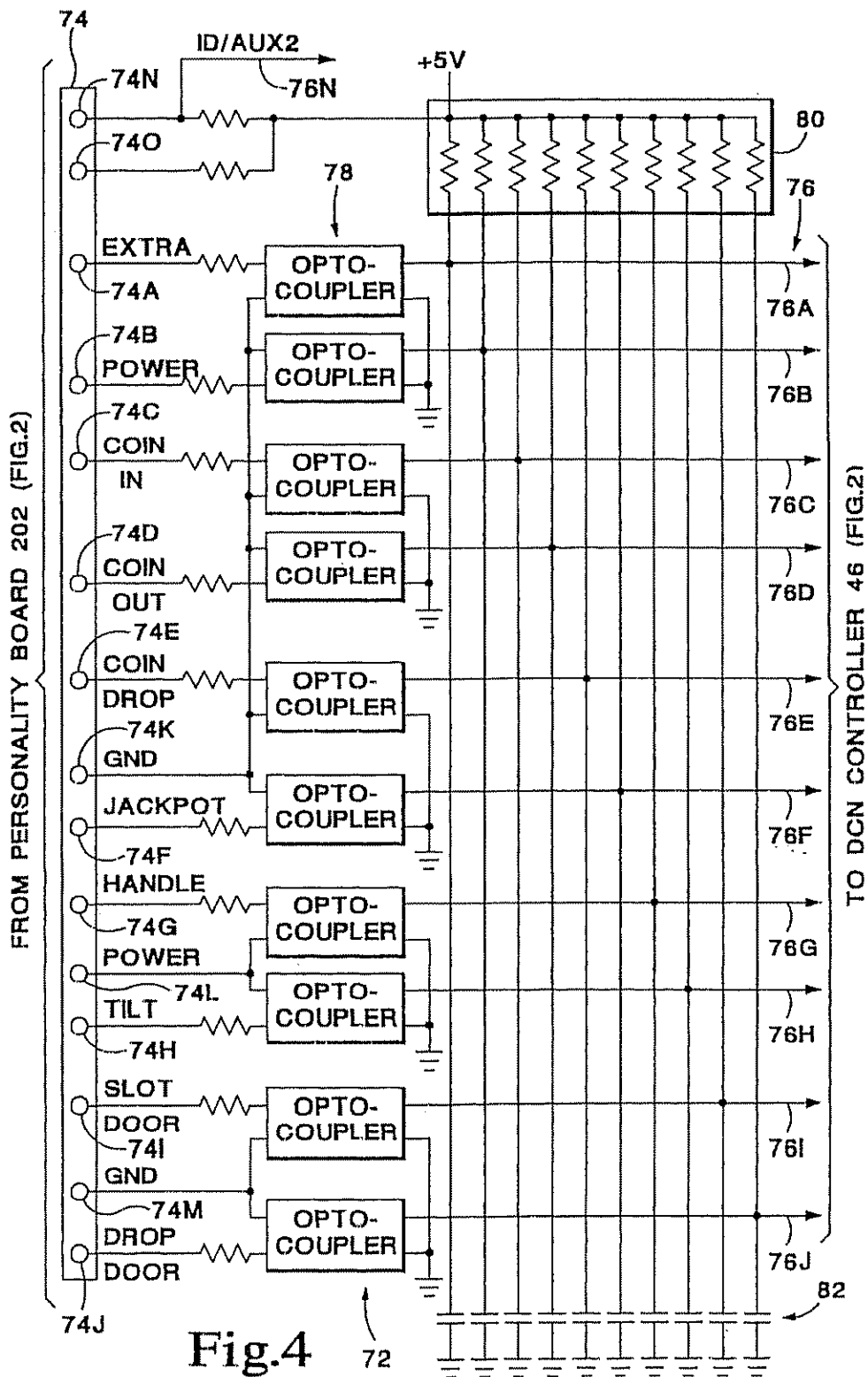


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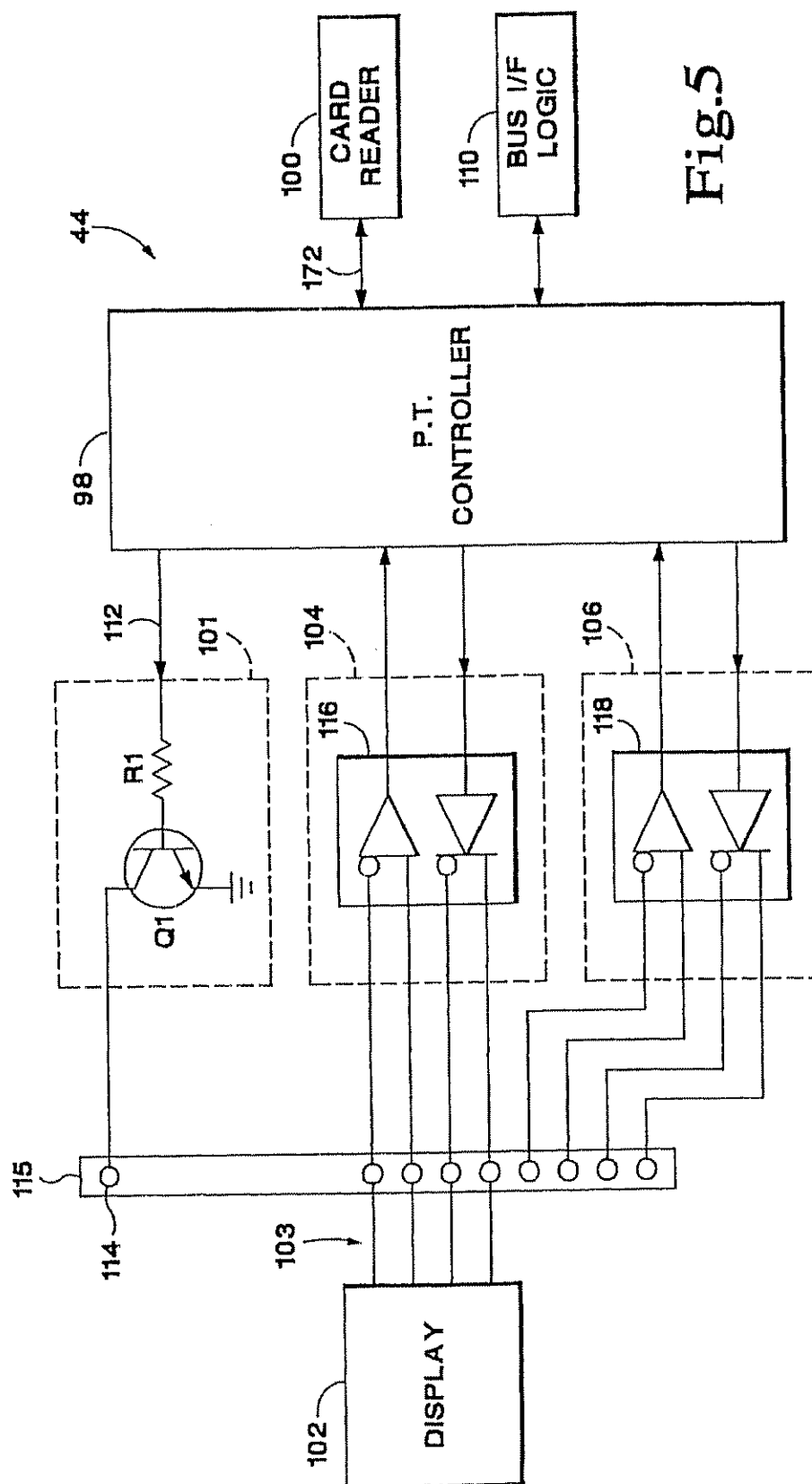


Fig.5

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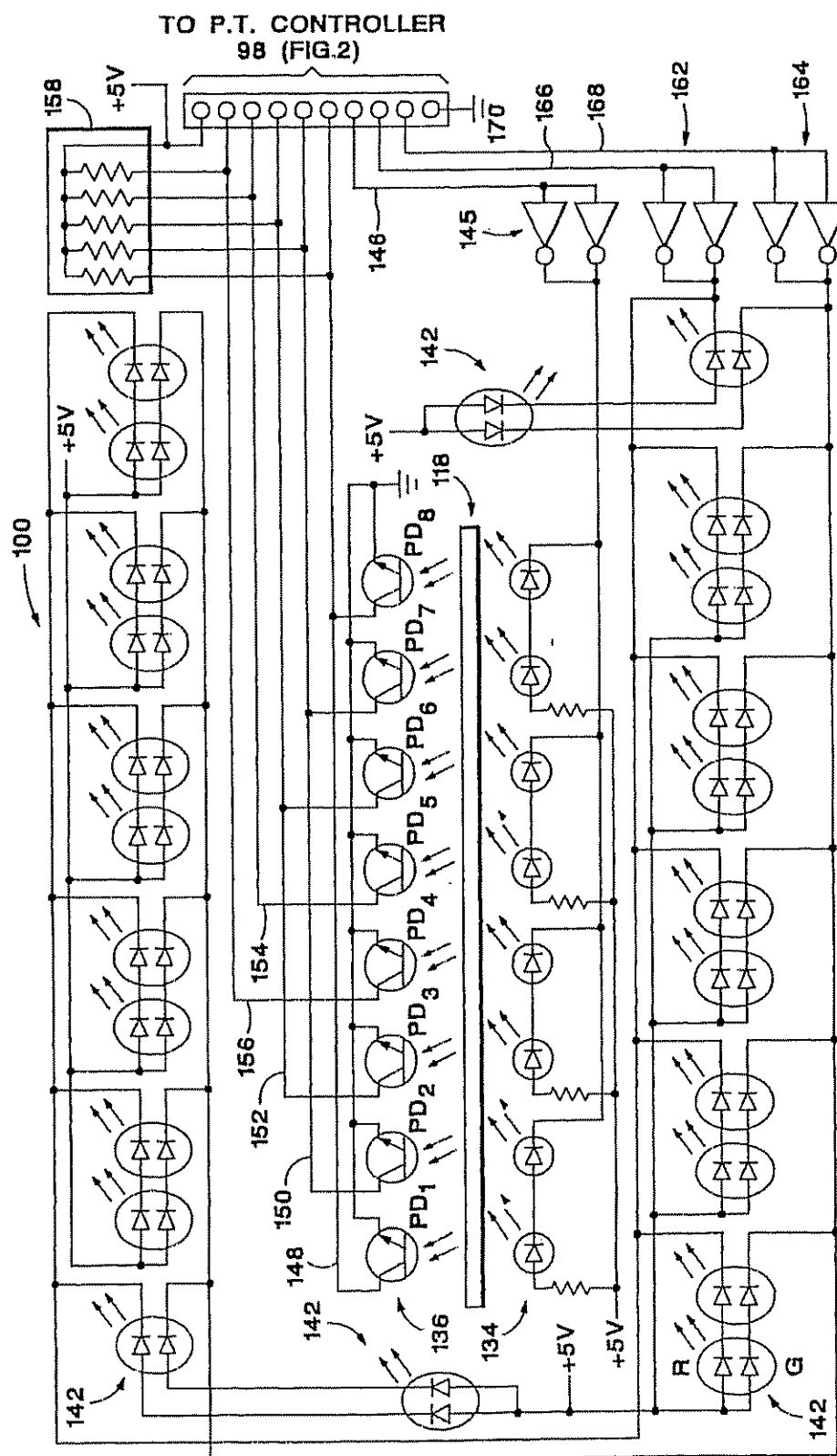


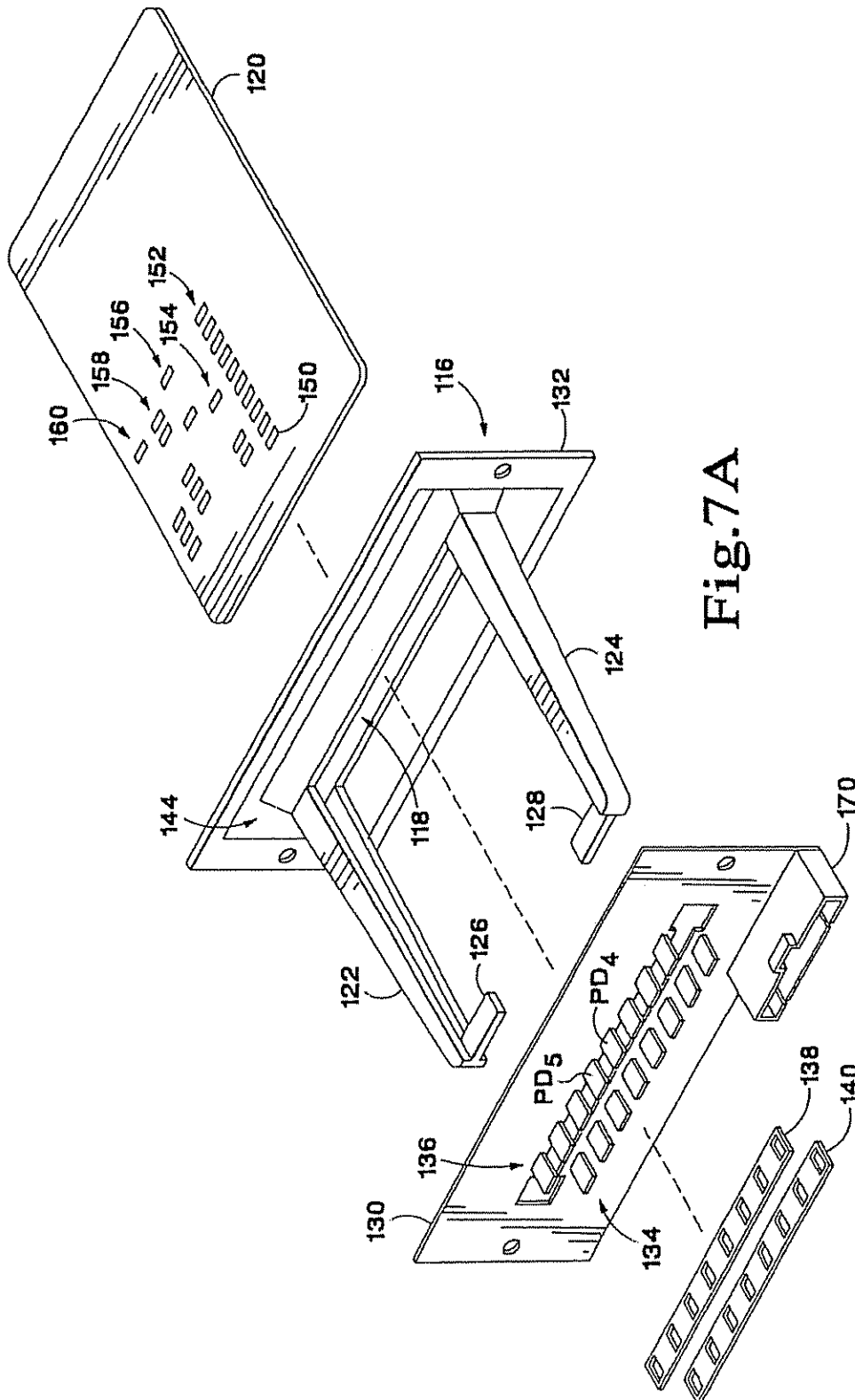
Fig. 6

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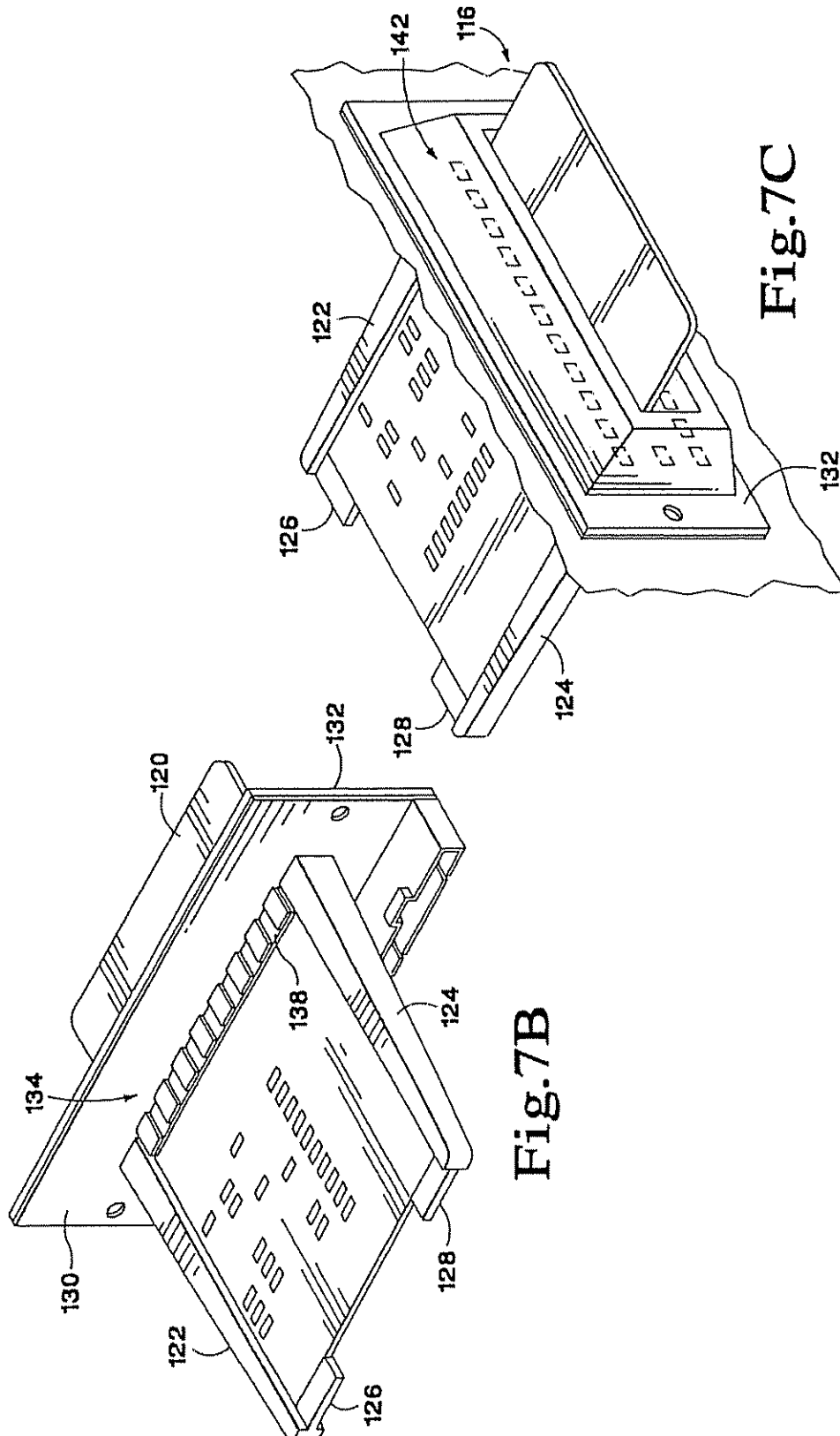


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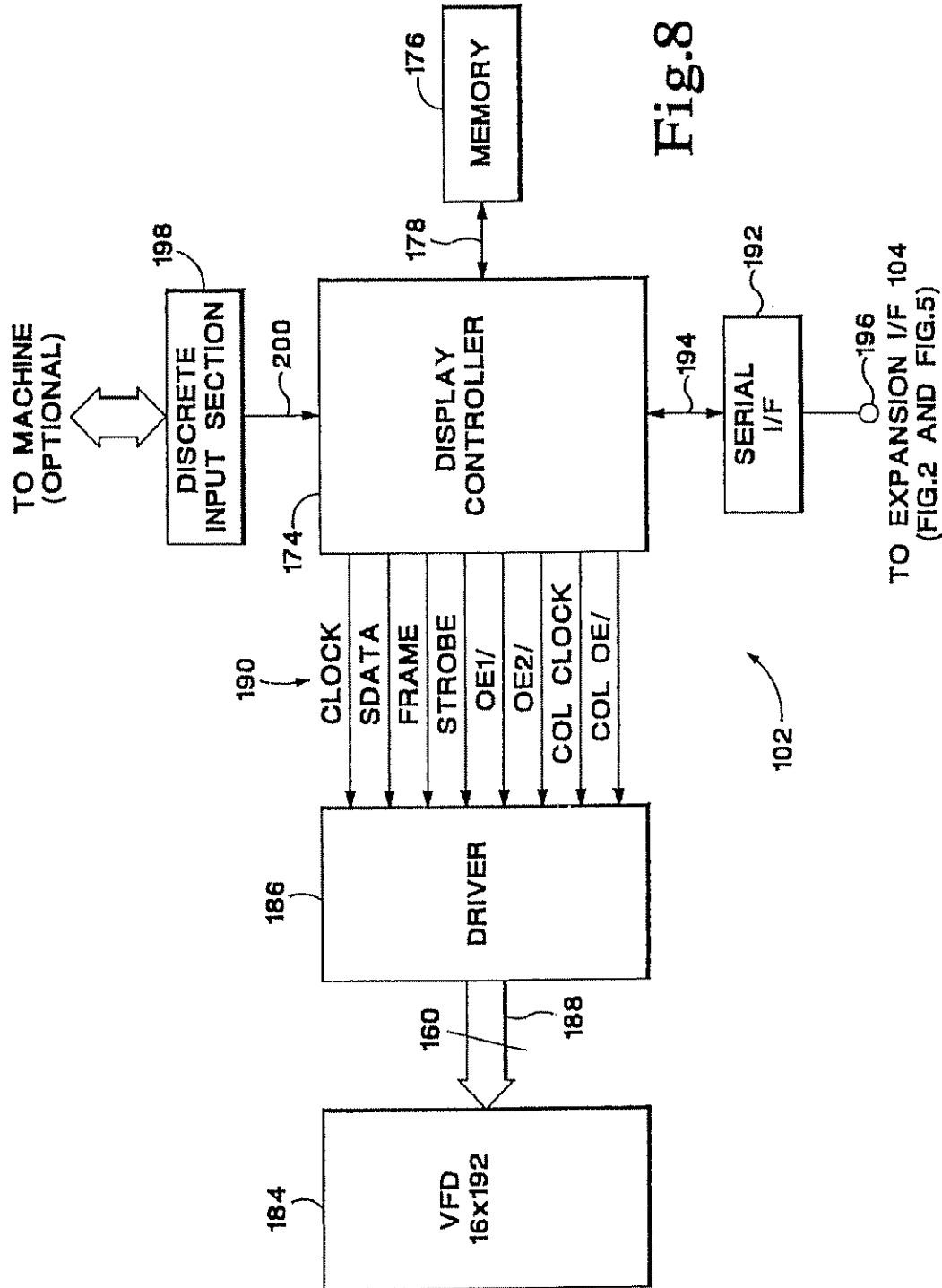


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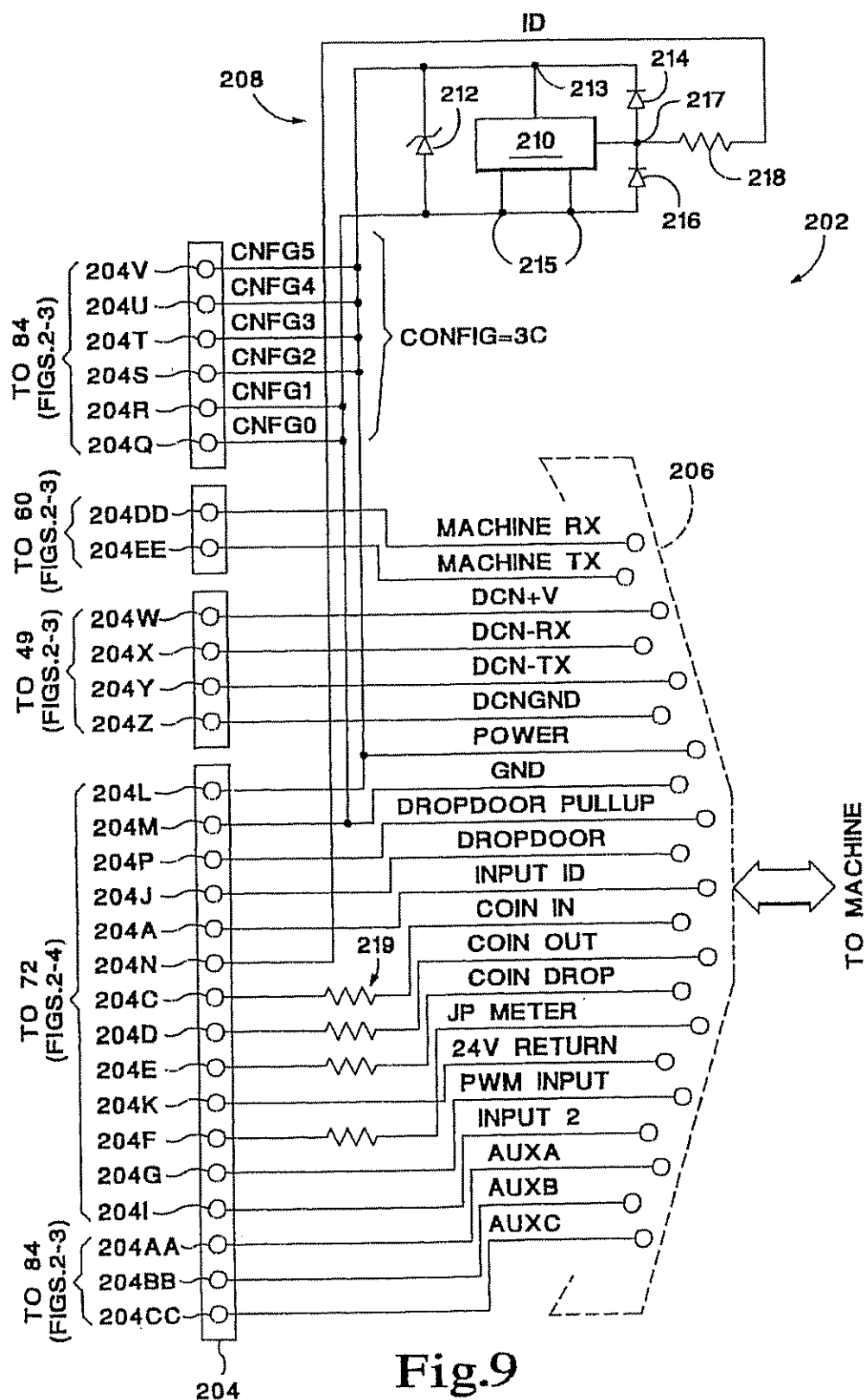


Fig.9

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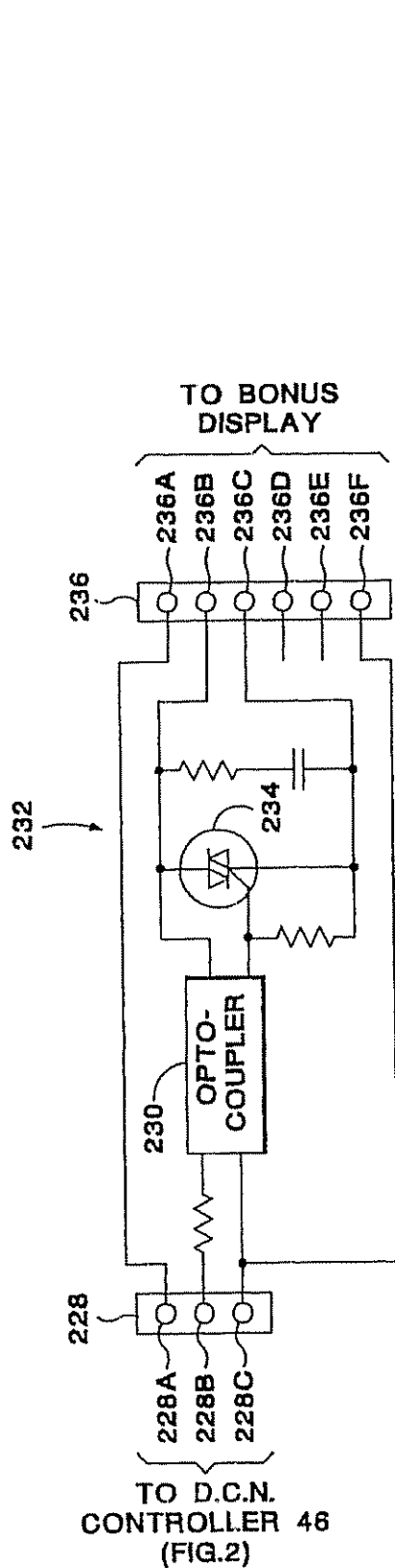


Fig.10

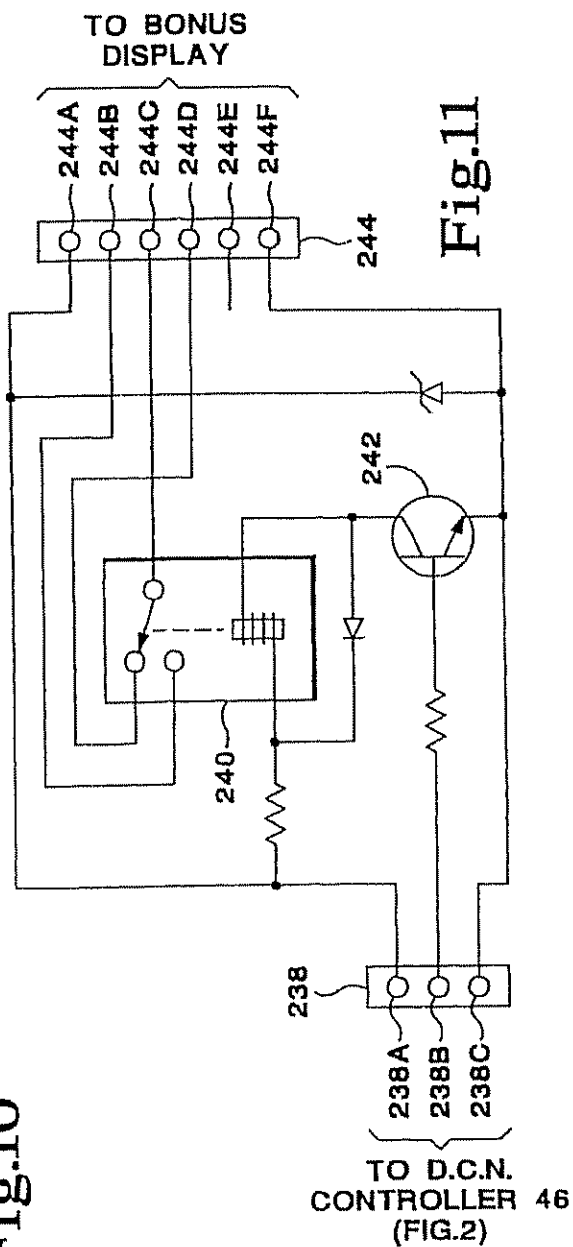


Fig.11



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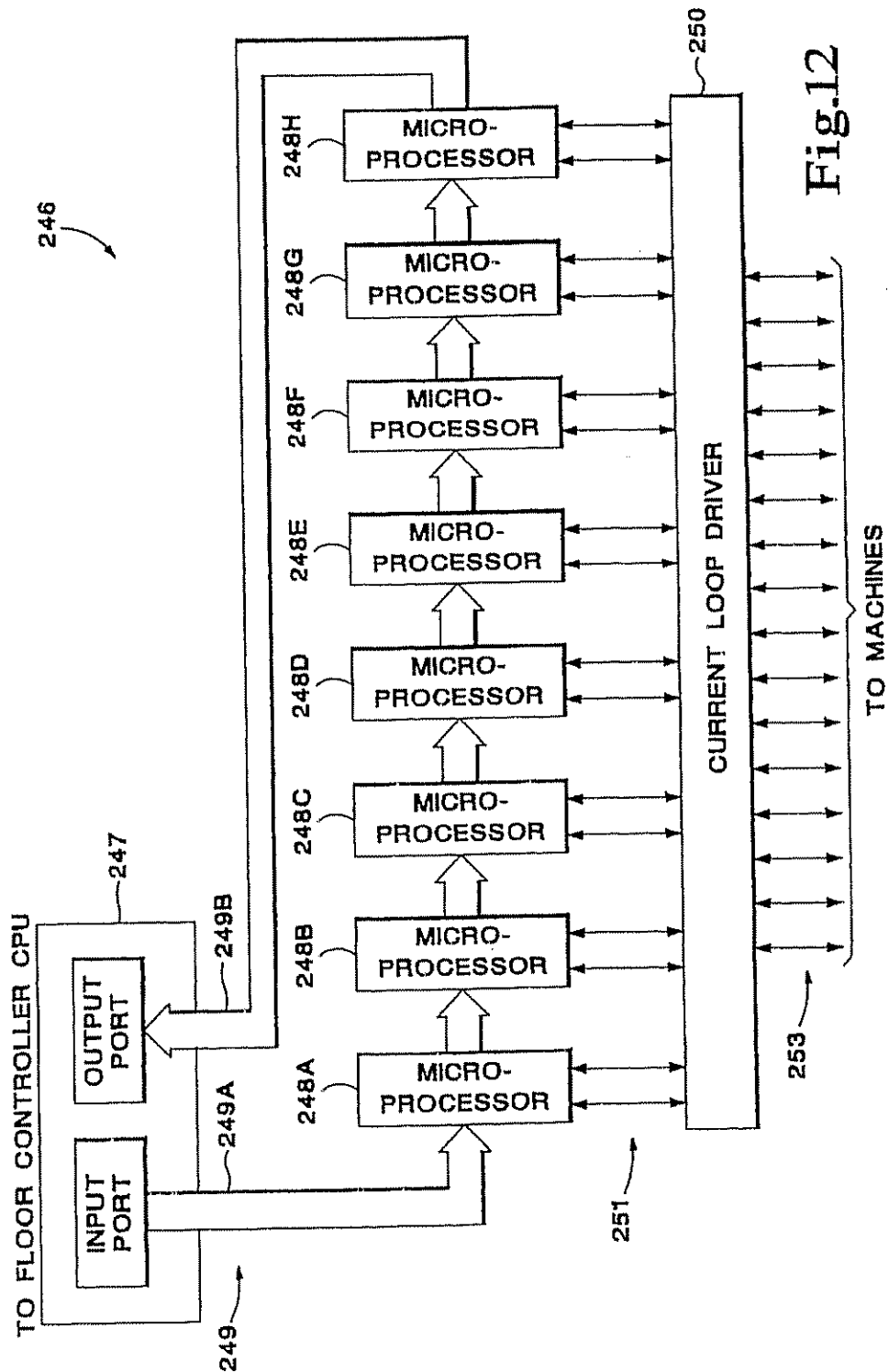


Fig.12

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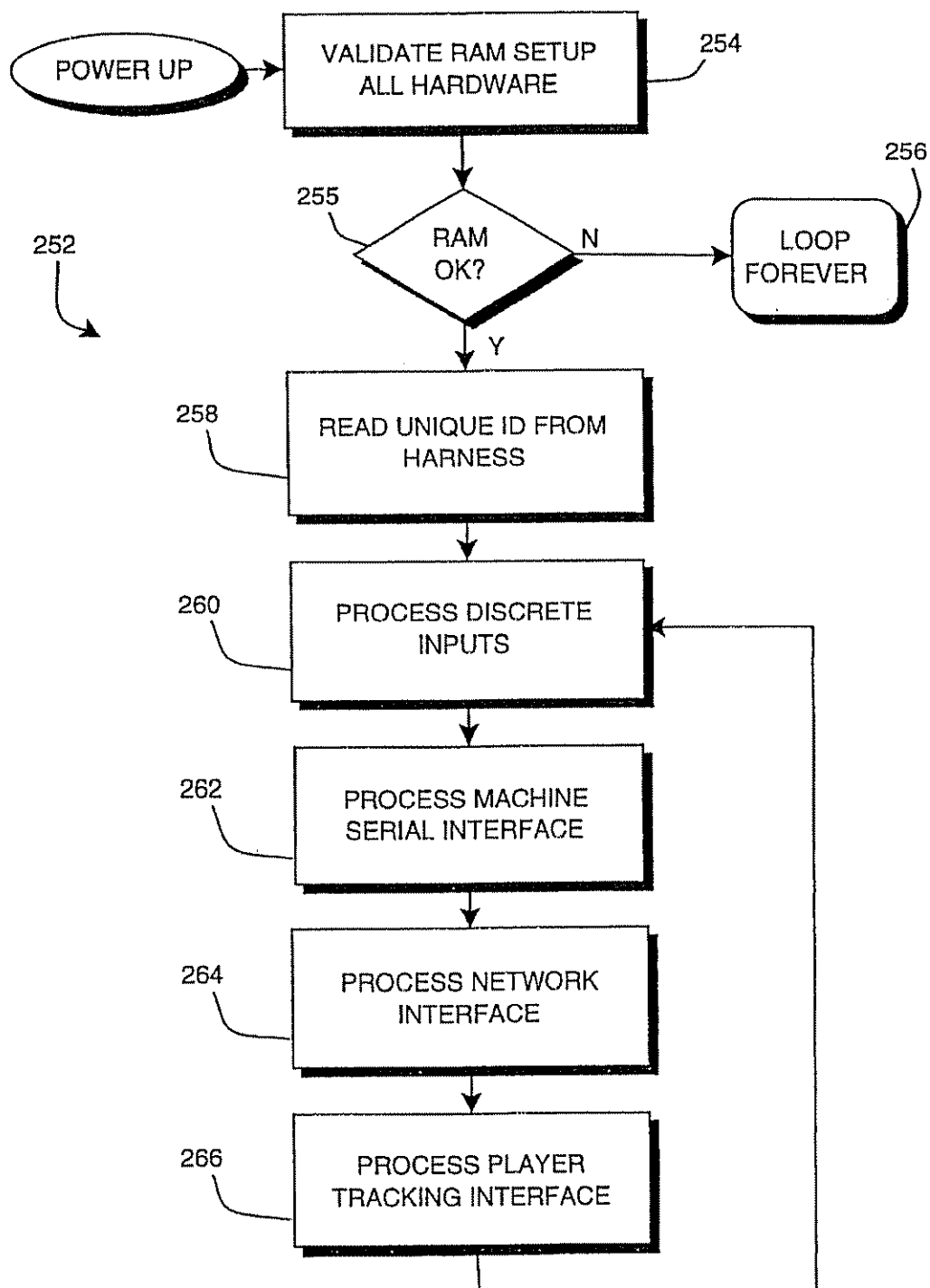


Fig.13

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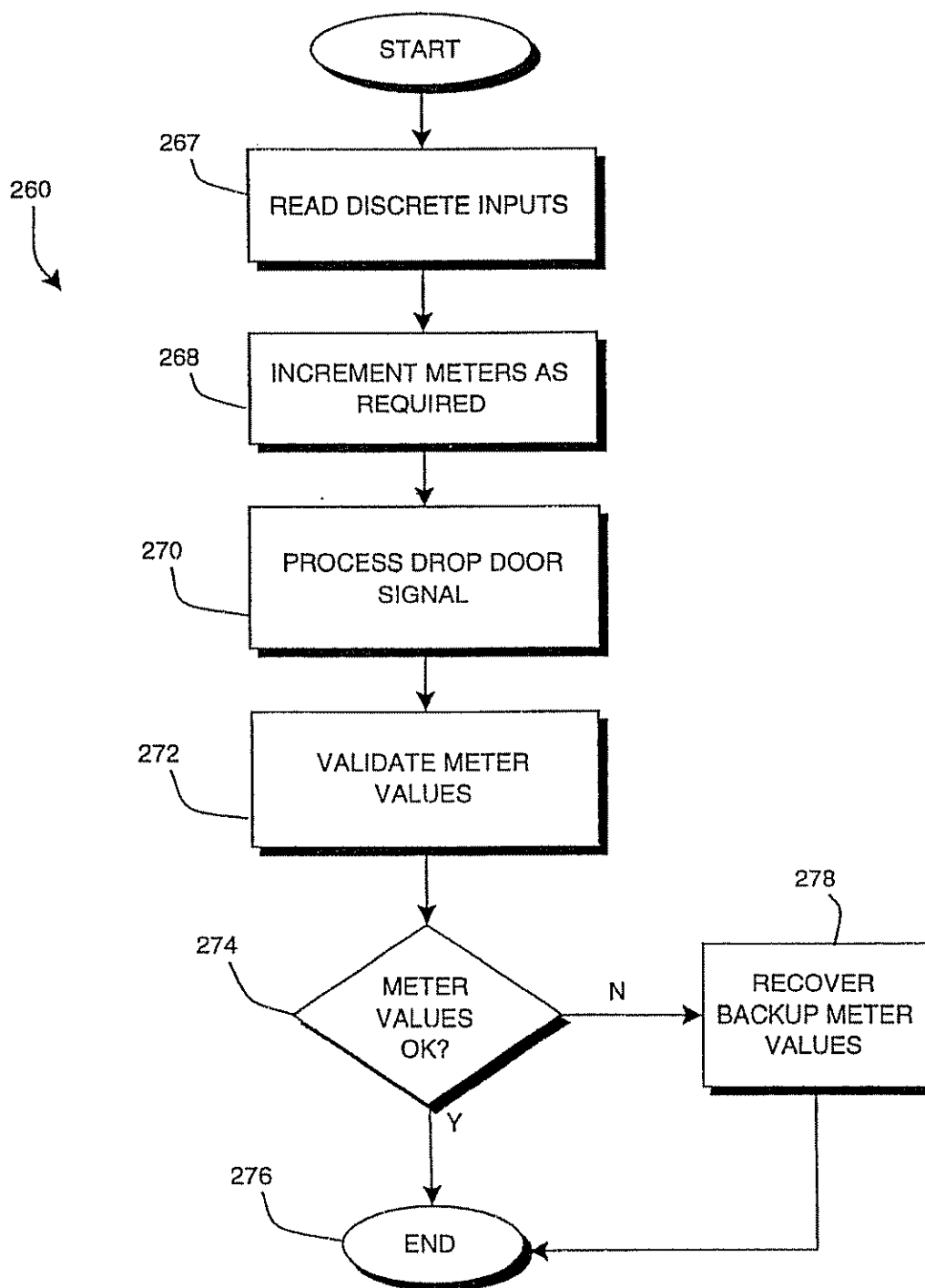


Fig.14

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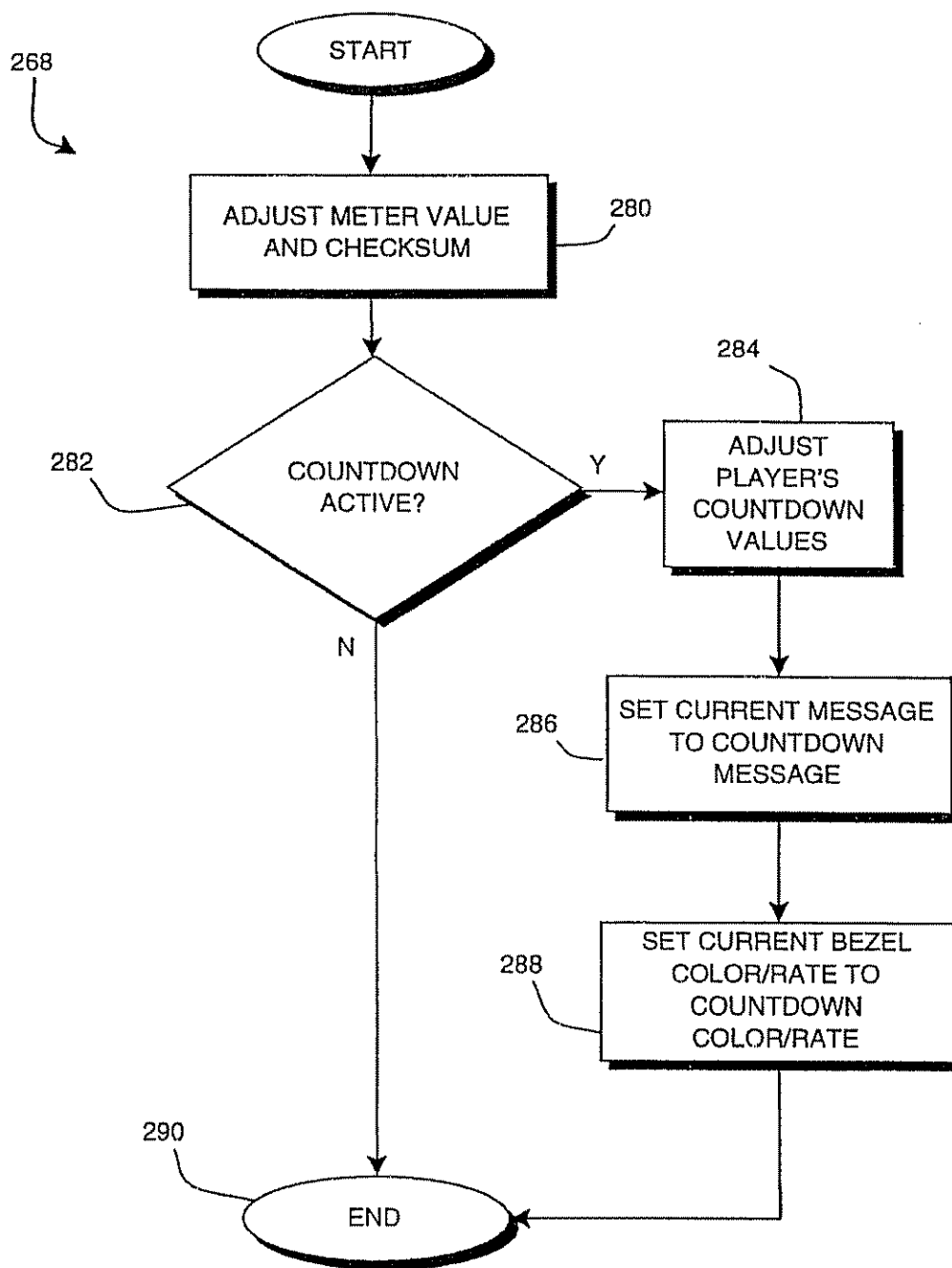


Fig.15

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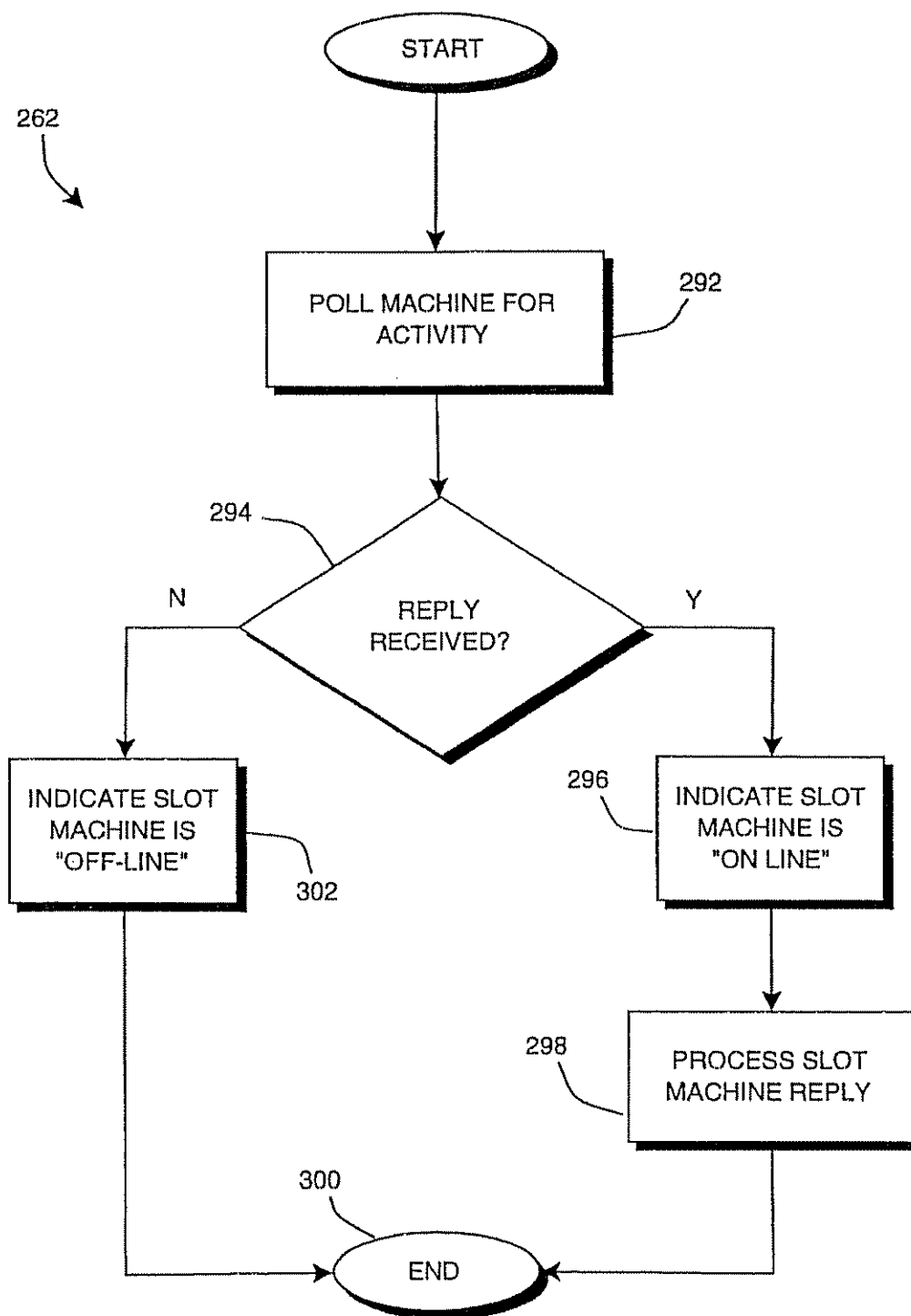


Fig.16

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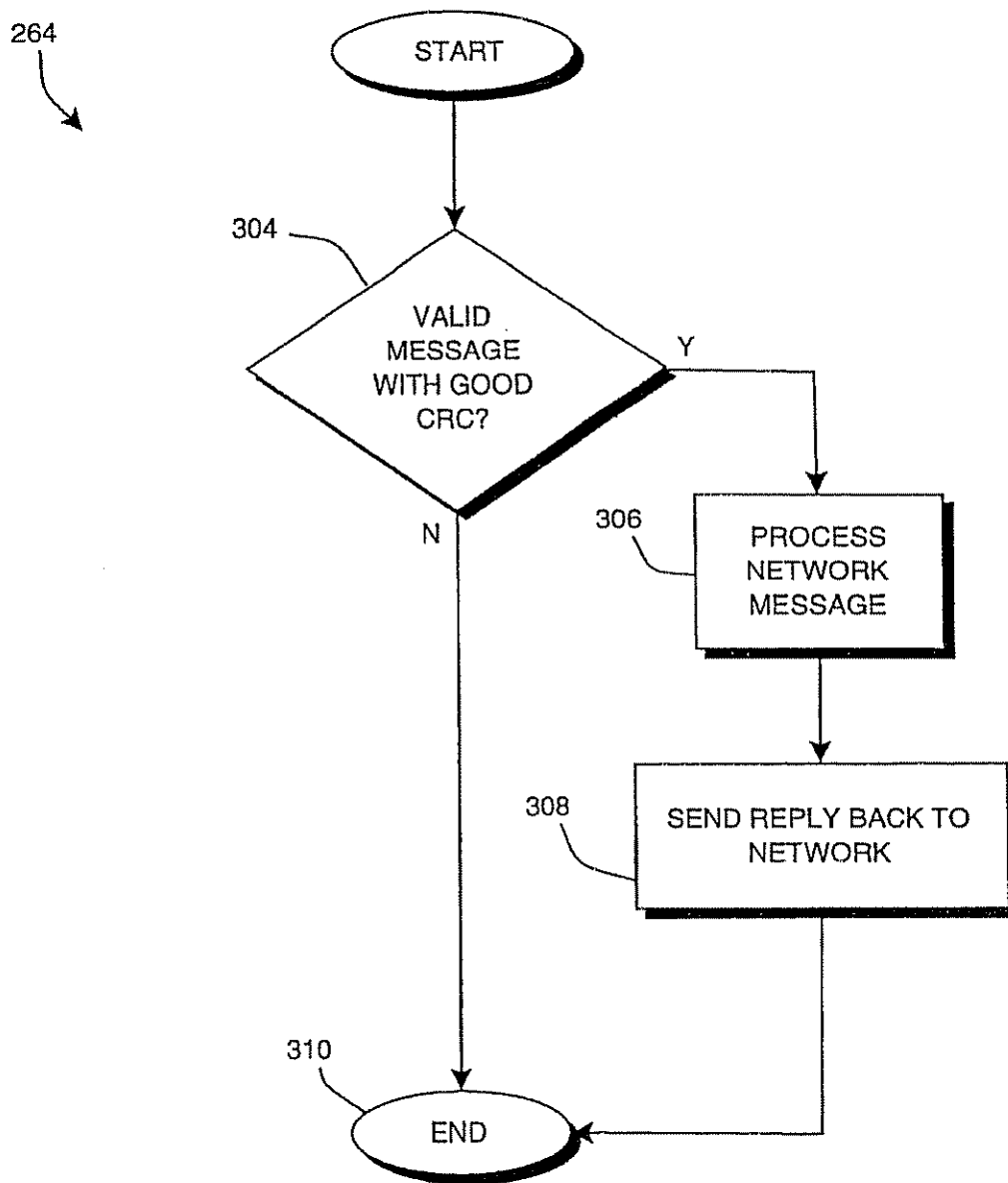


Fig.17

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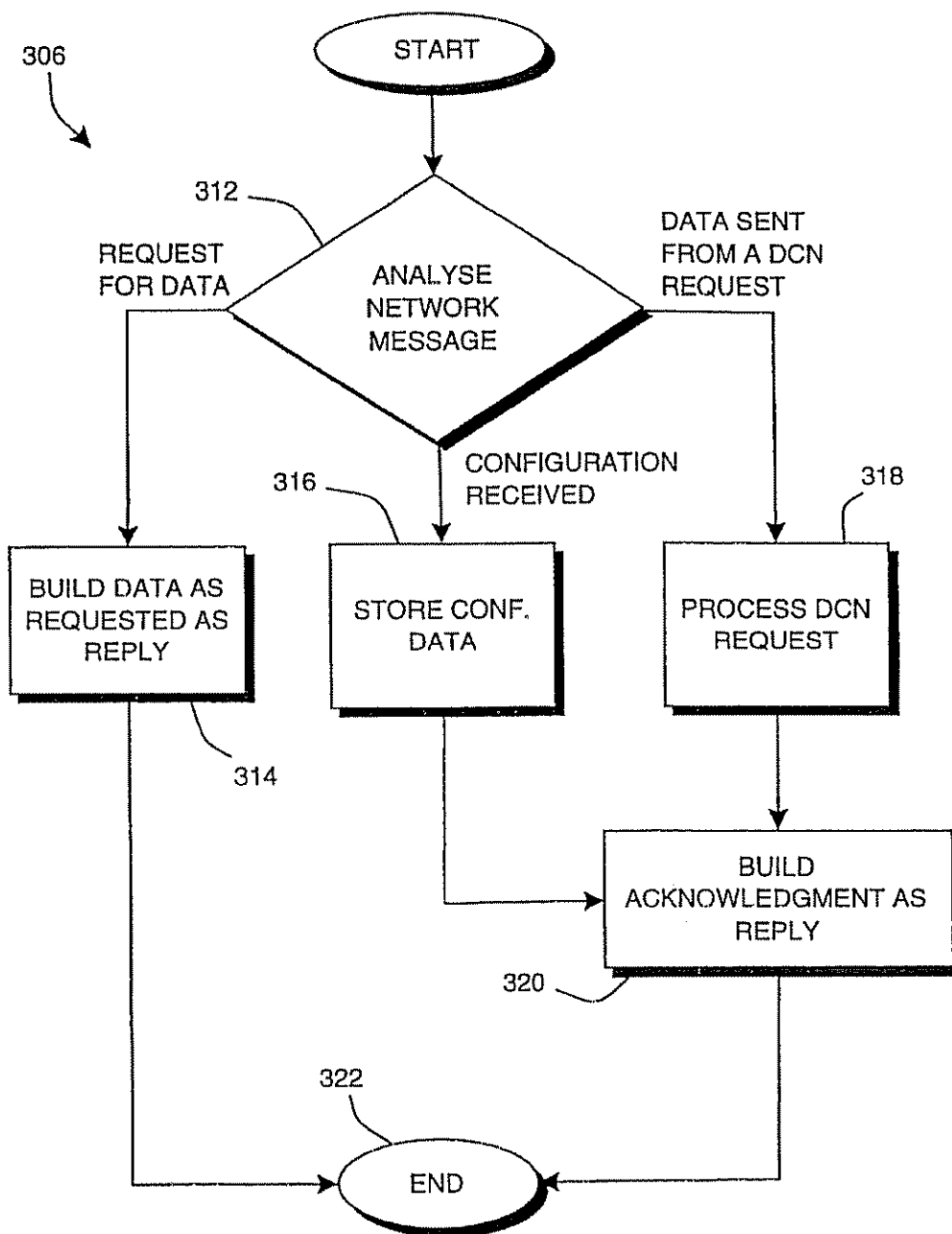


Fig.18

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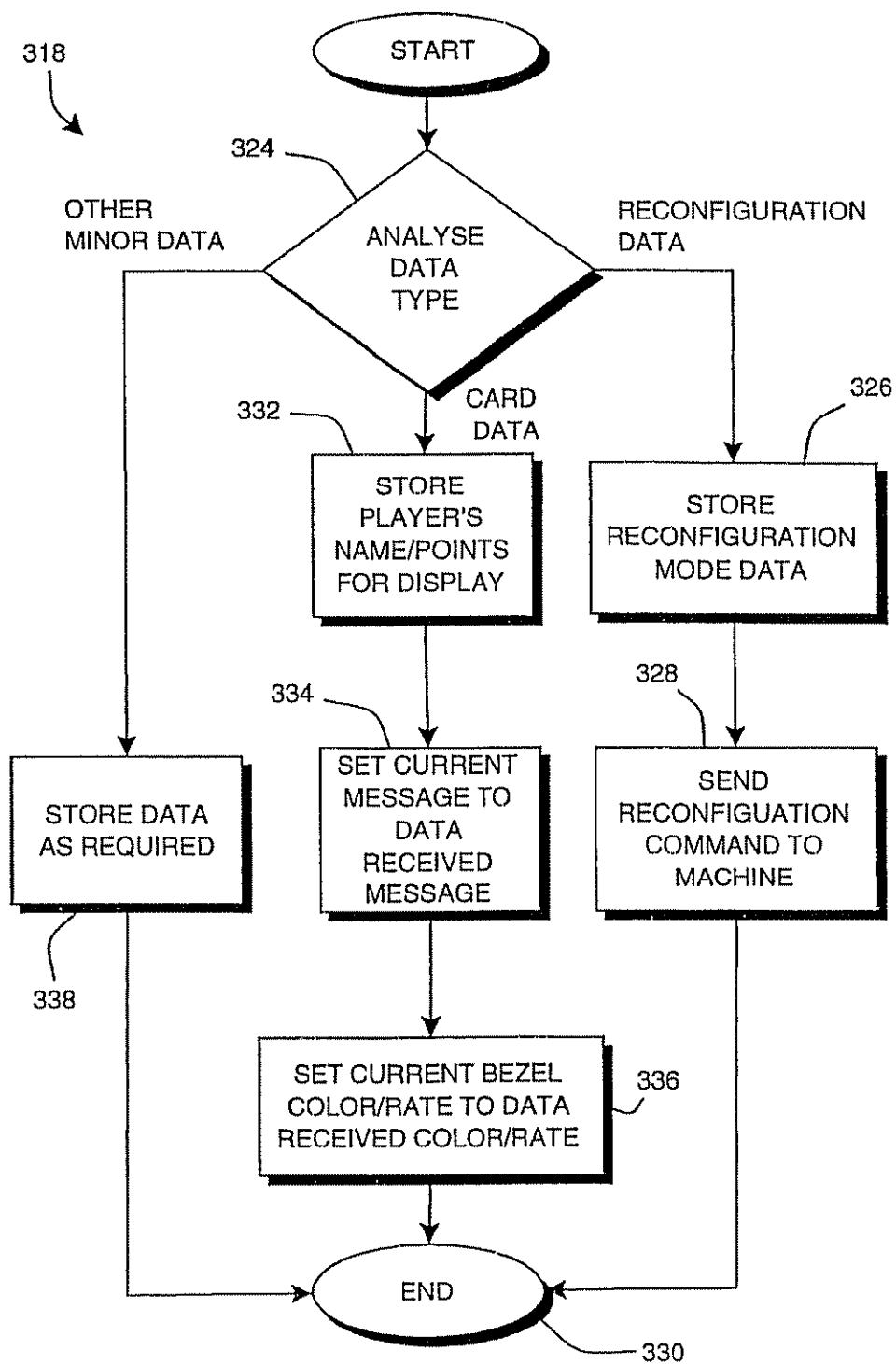


Fig.19



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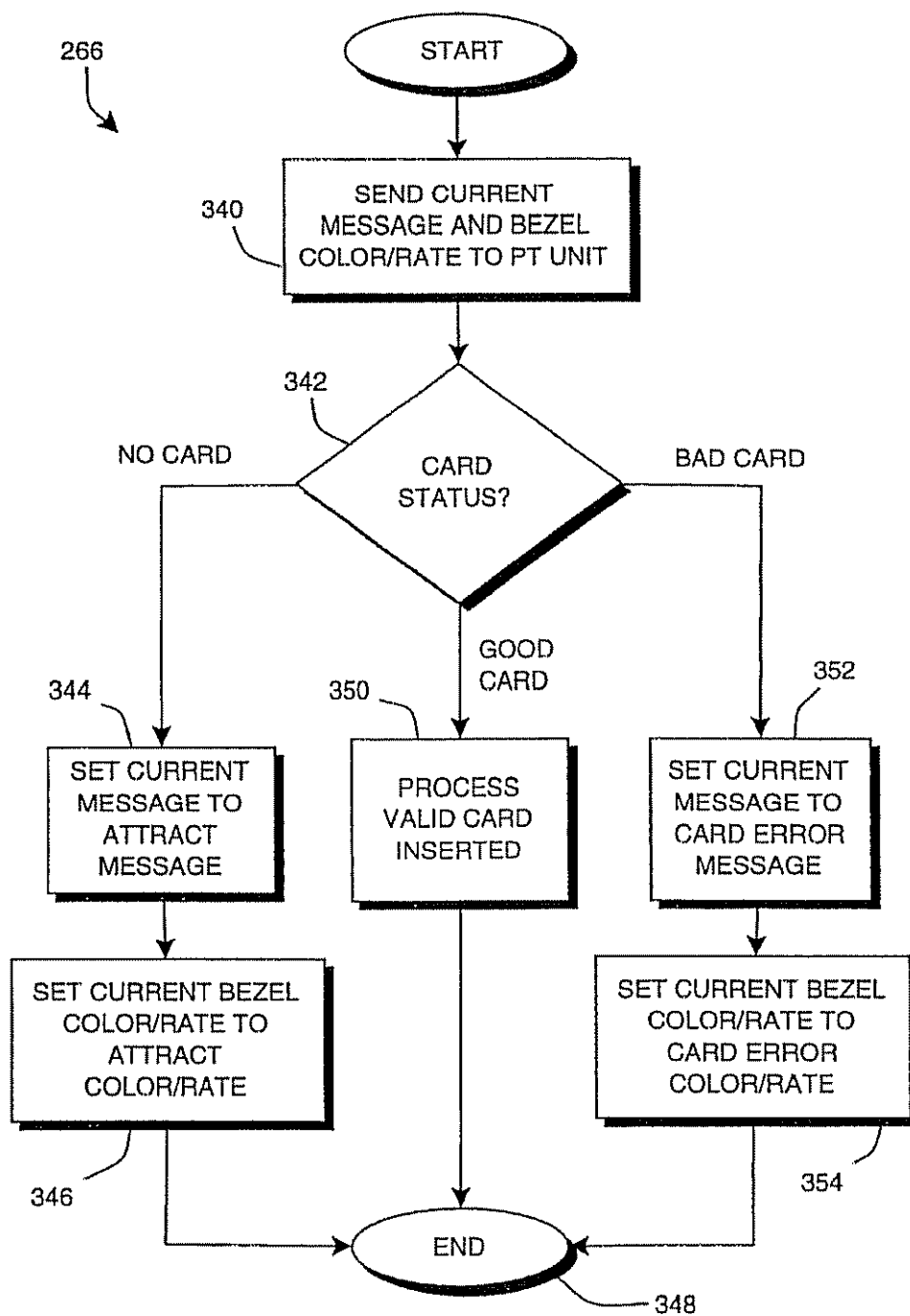


Fig.20

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US RE38,812 E

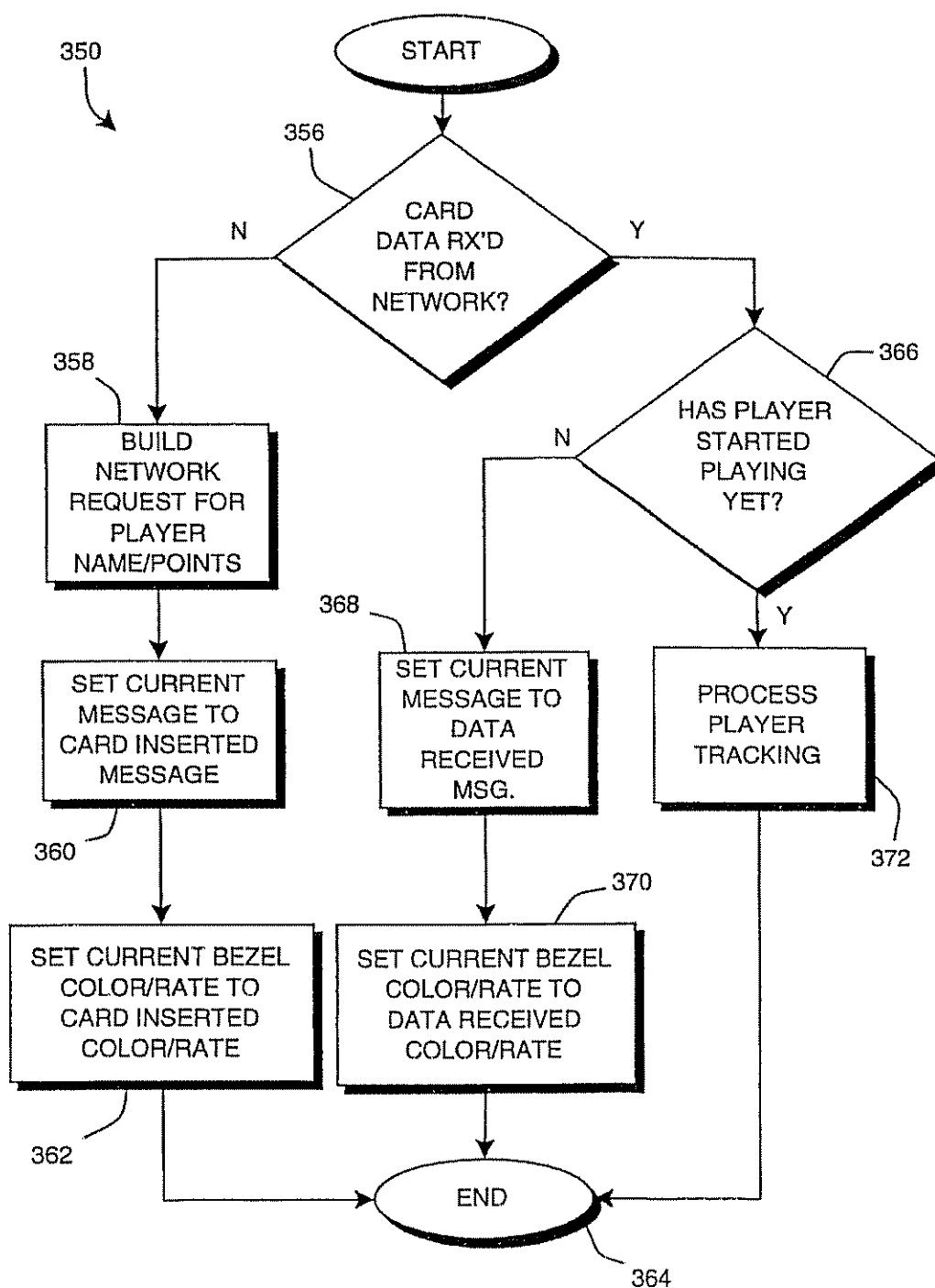


Fig.21

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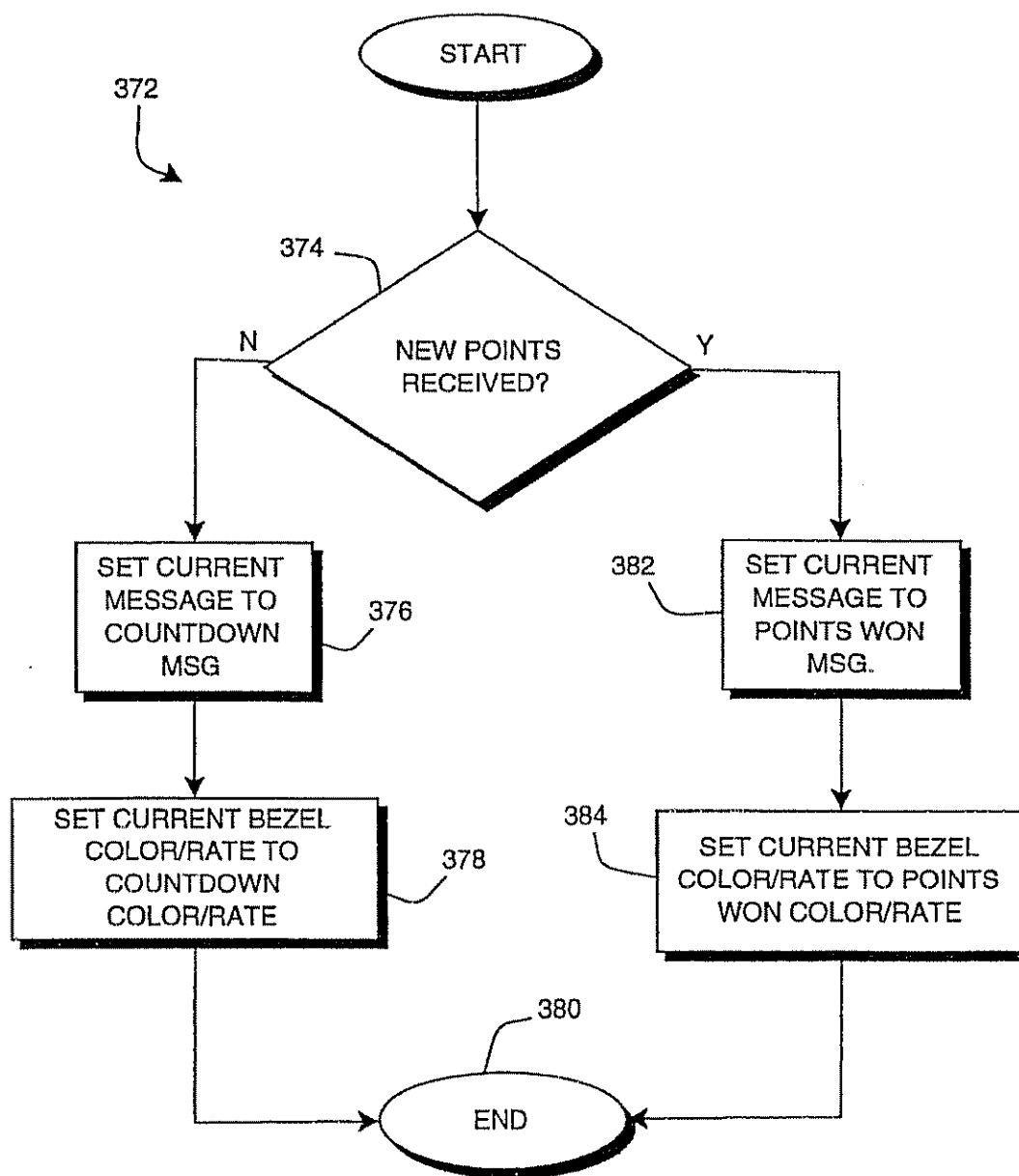


Fig.22

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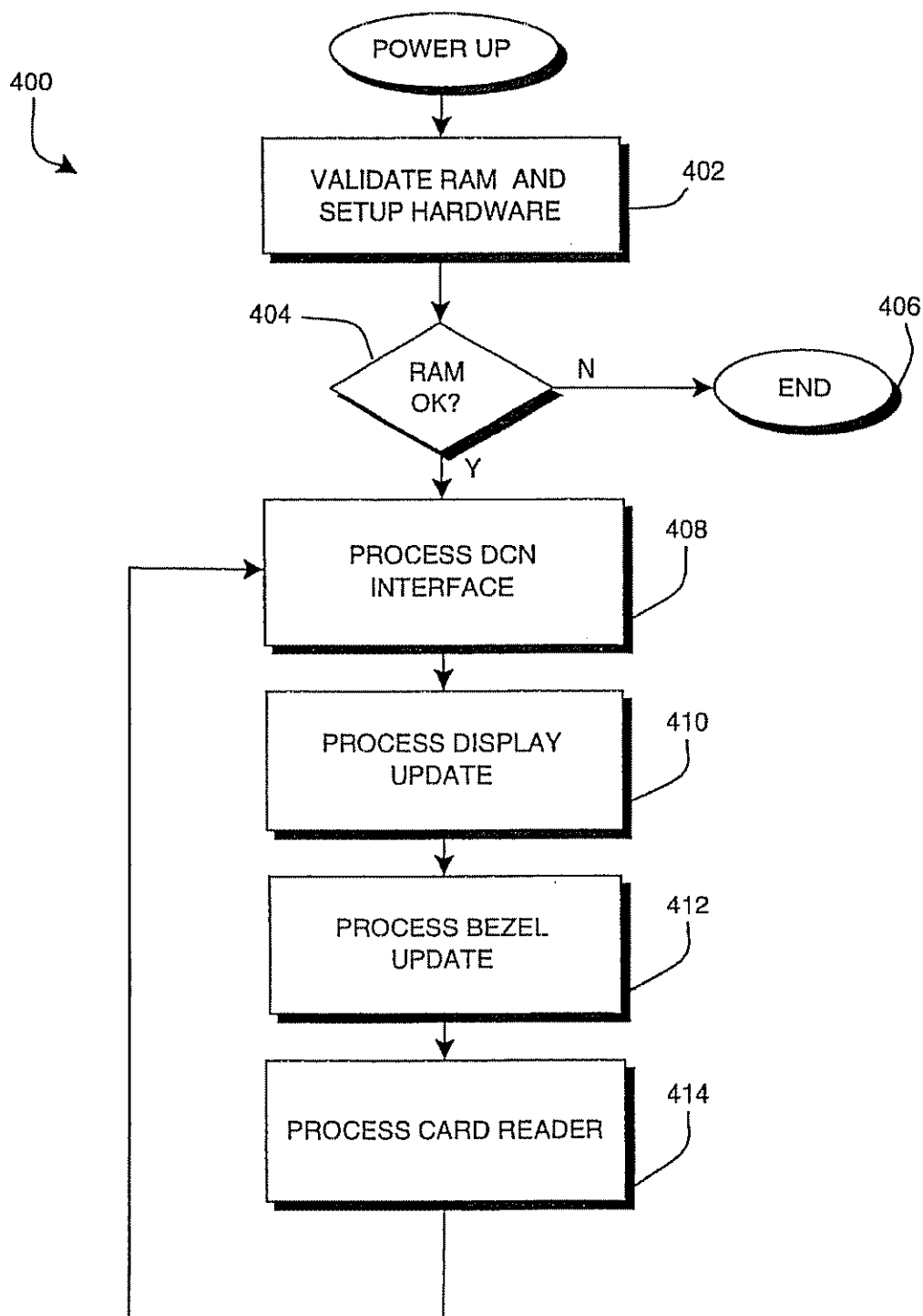


Fig.23

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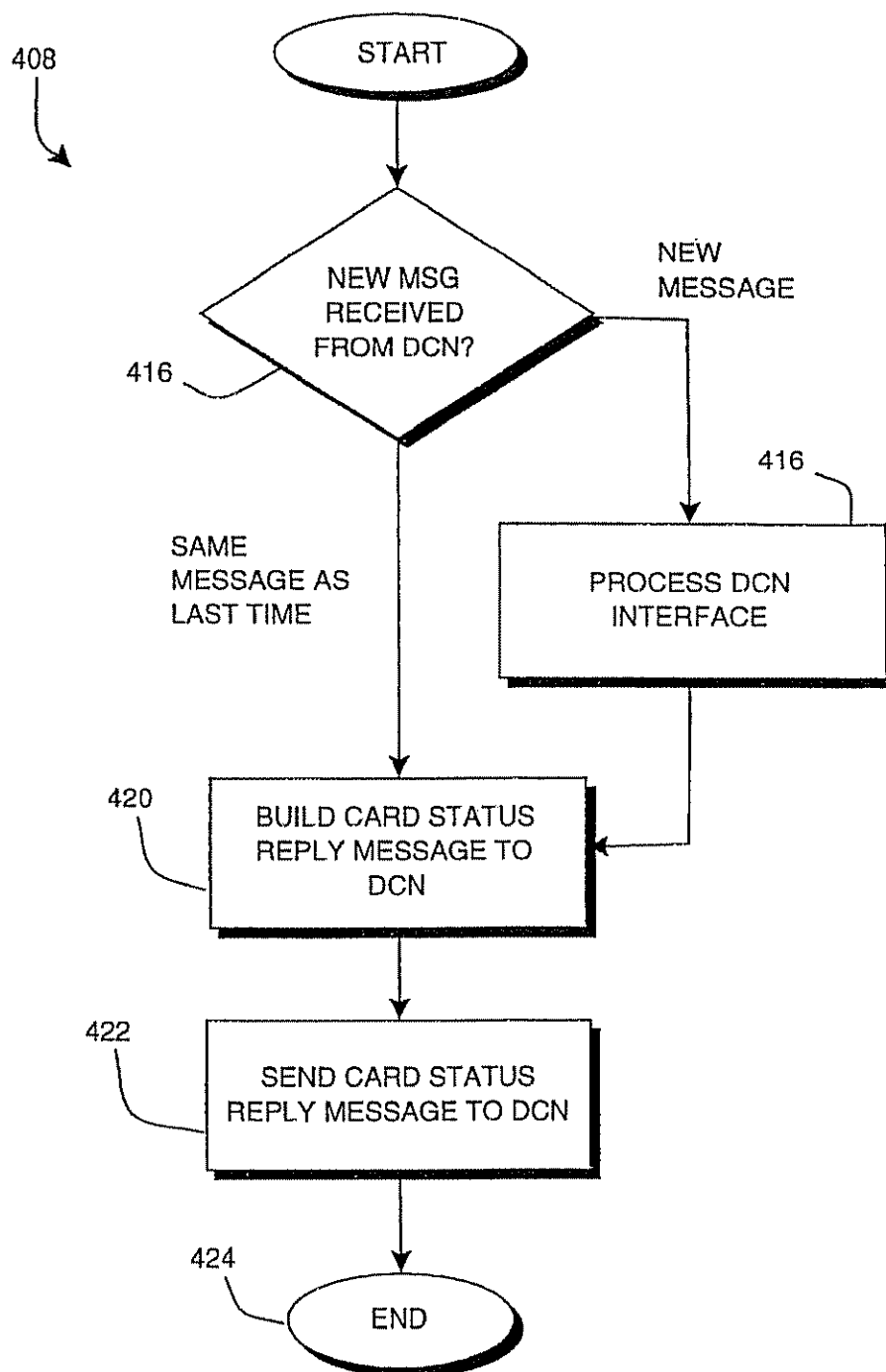


Fig.24

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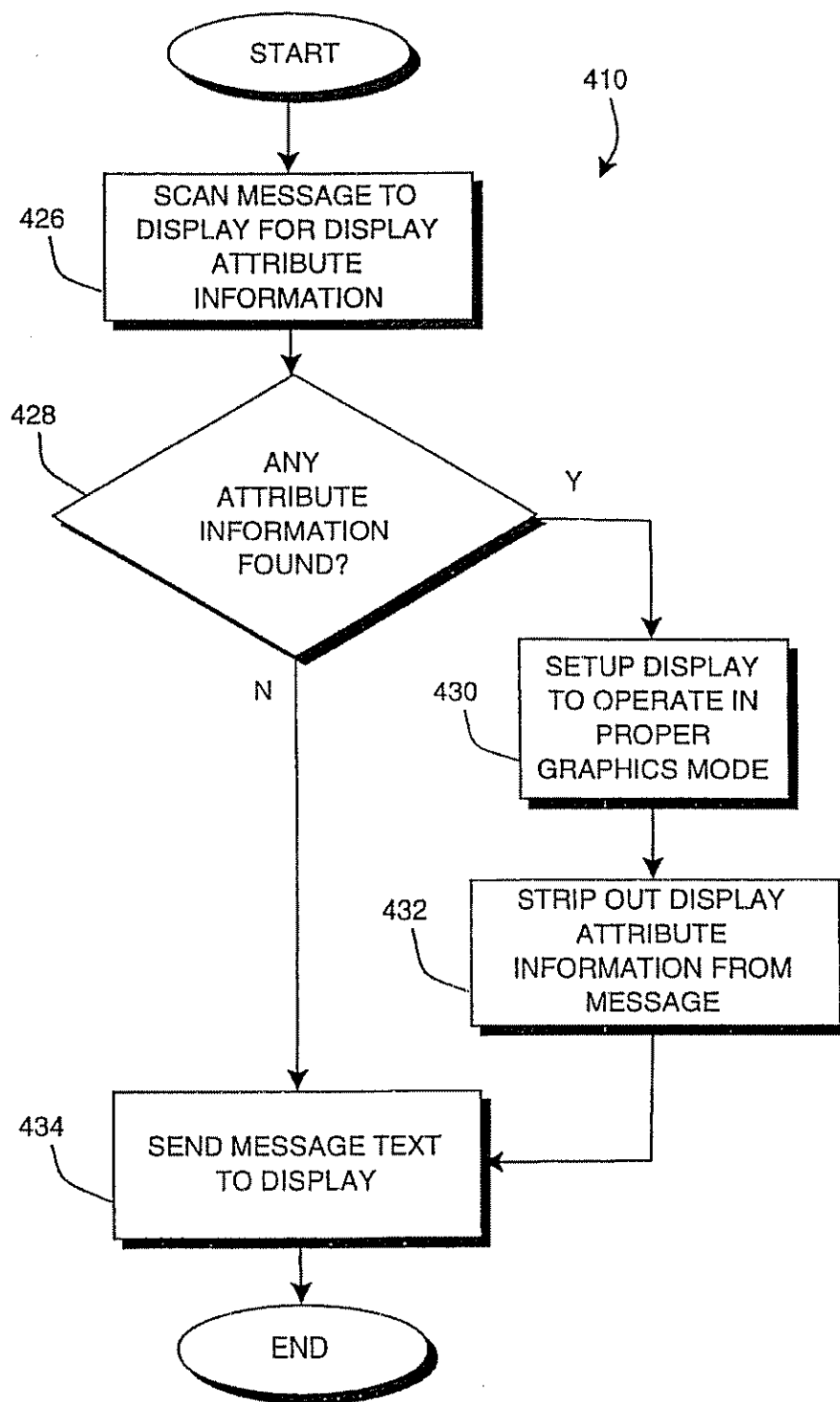


Fig.25

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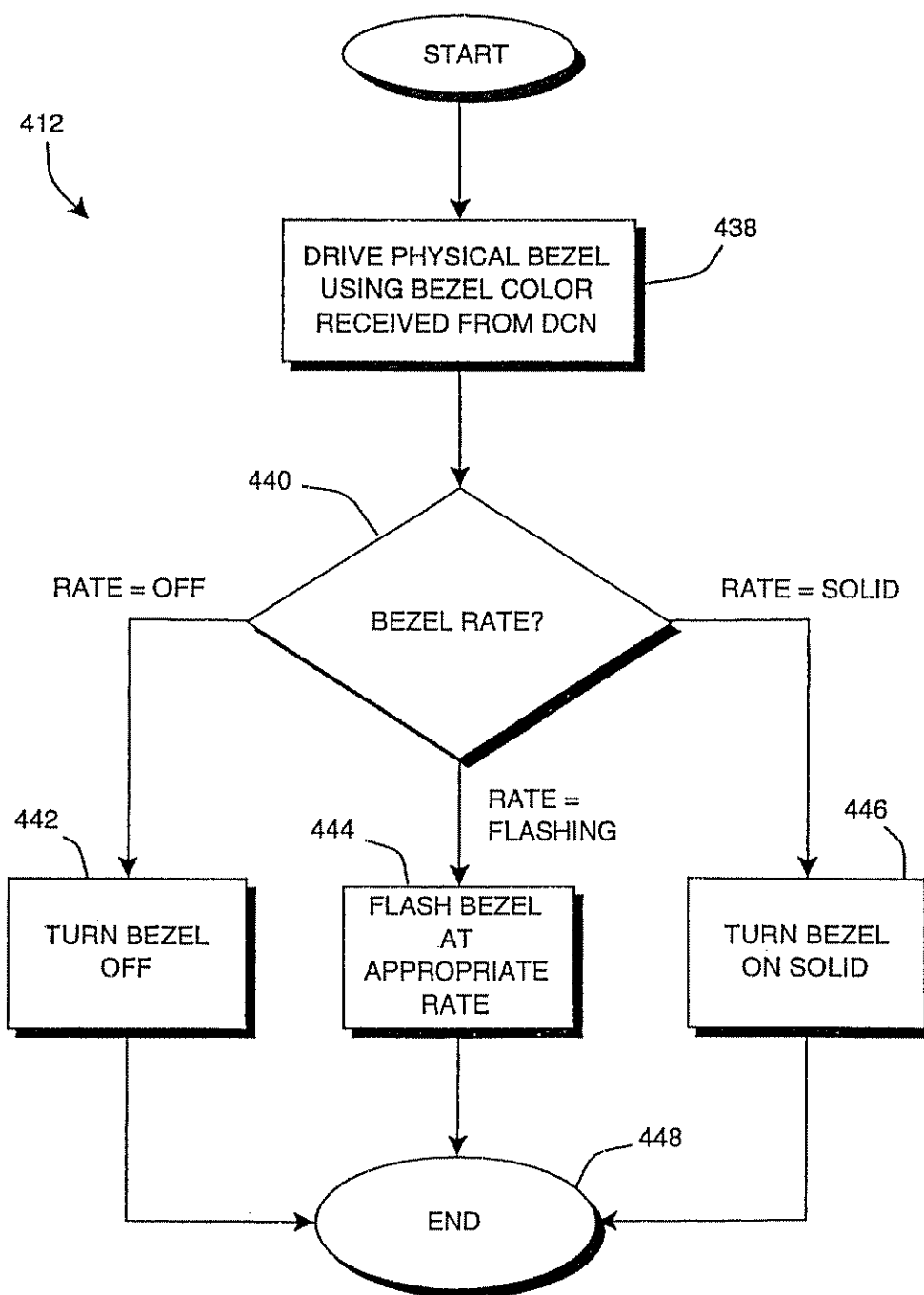


Fig.26

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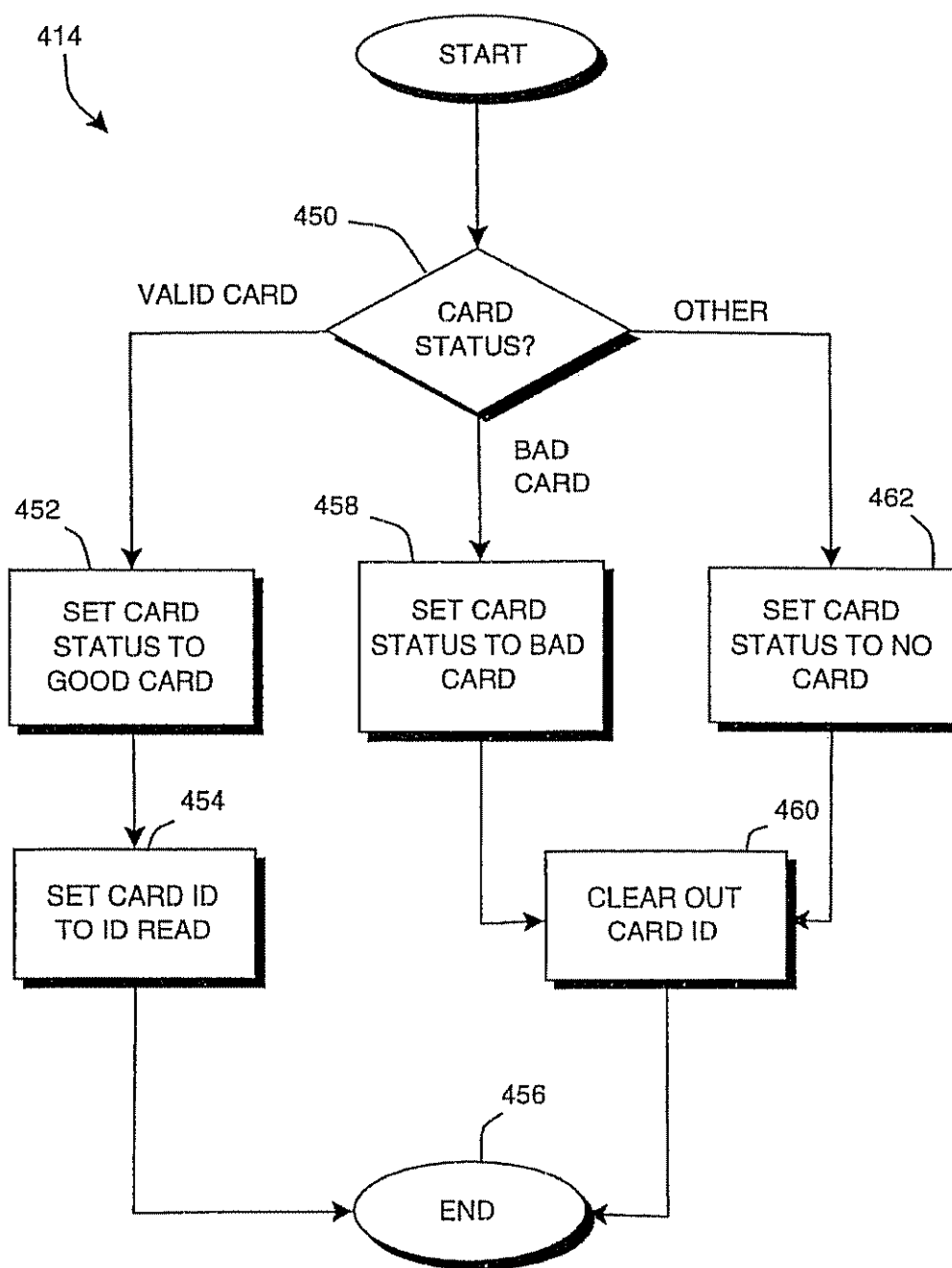


Fig.27



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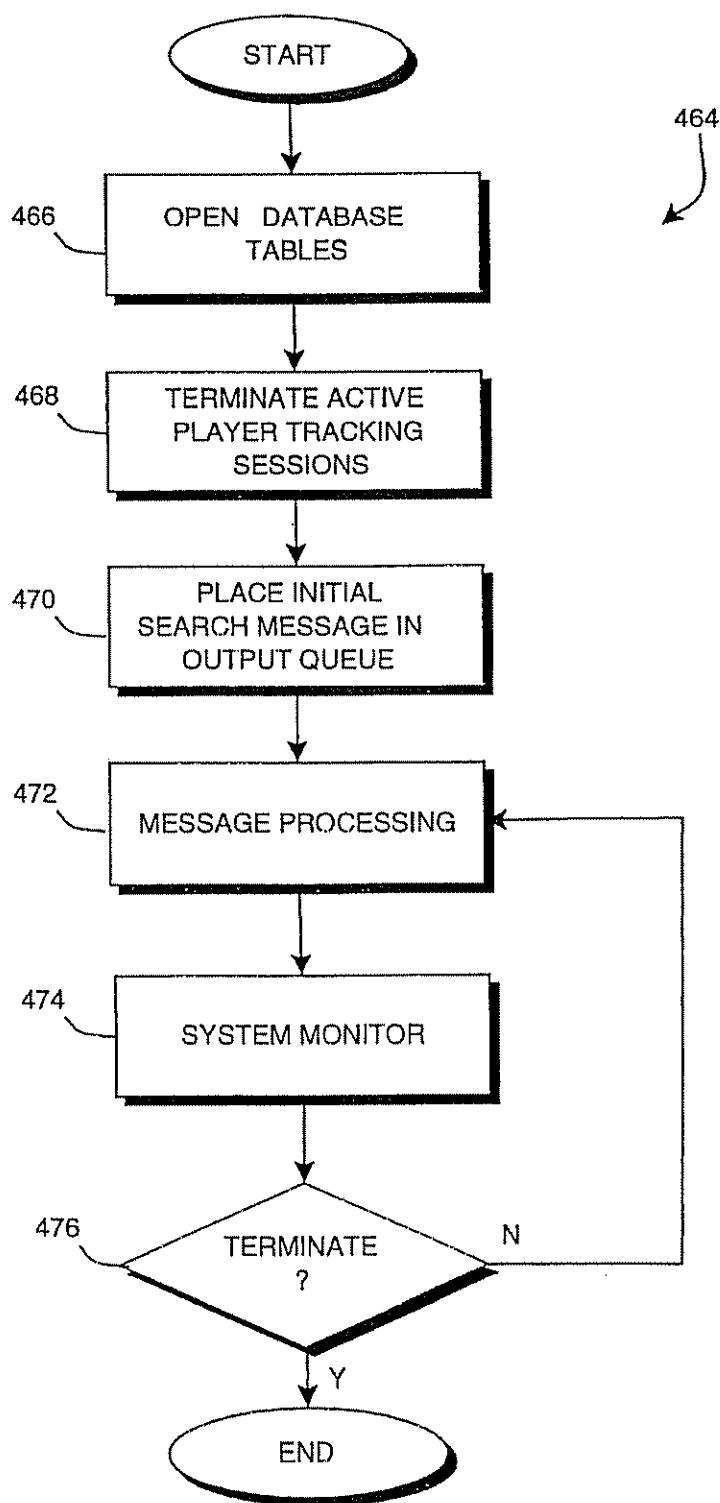


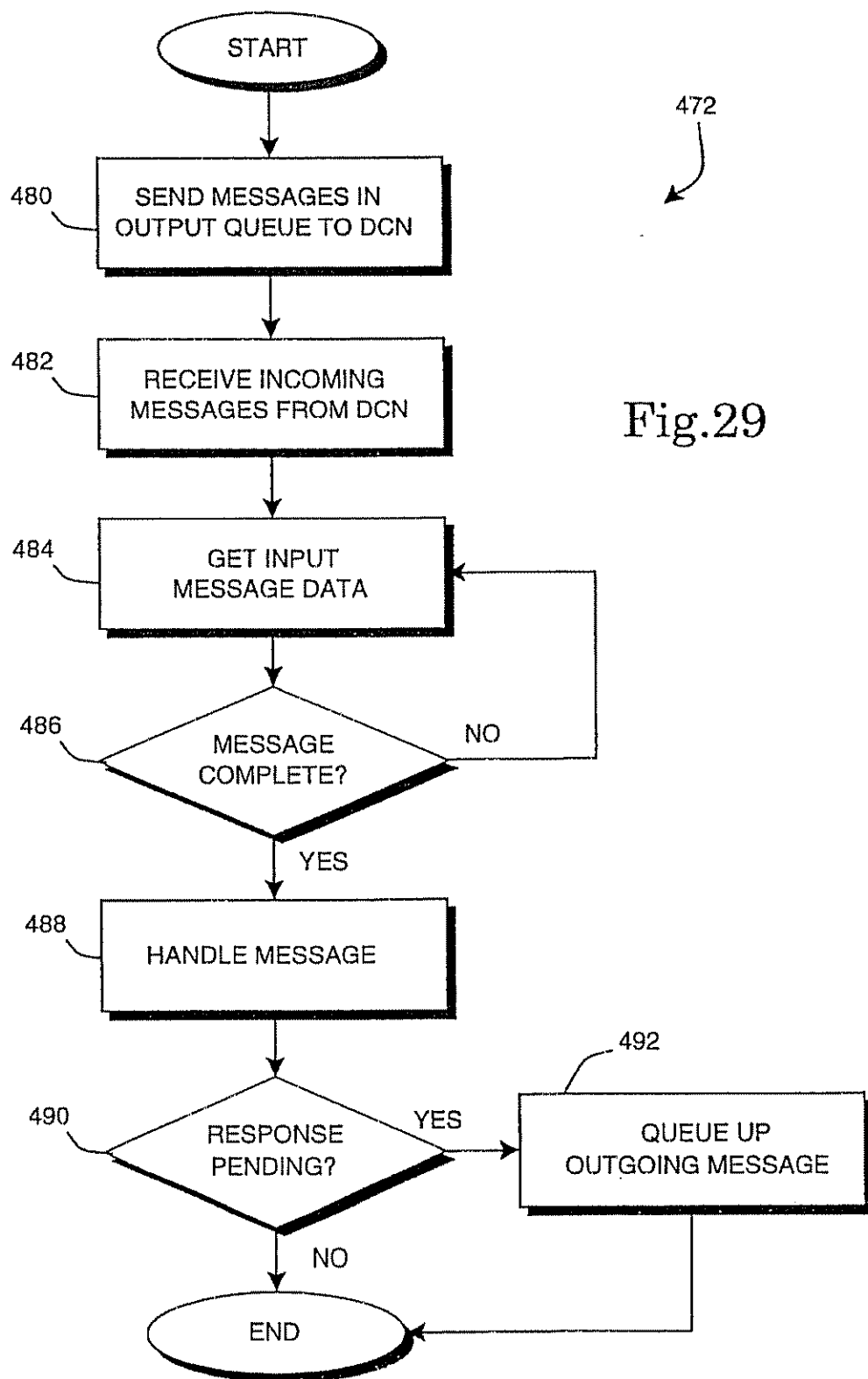
Fig.28

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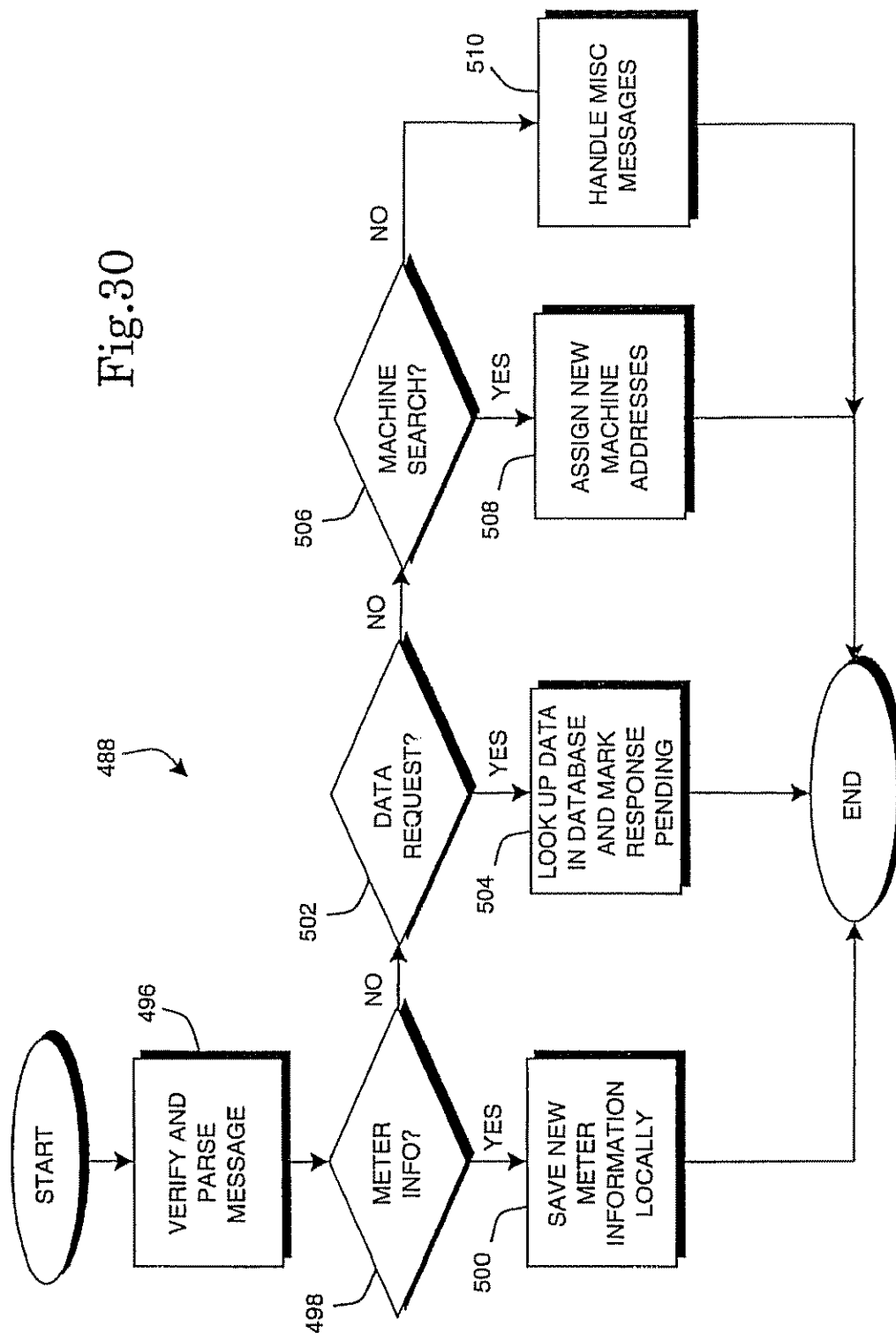
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Fig.30



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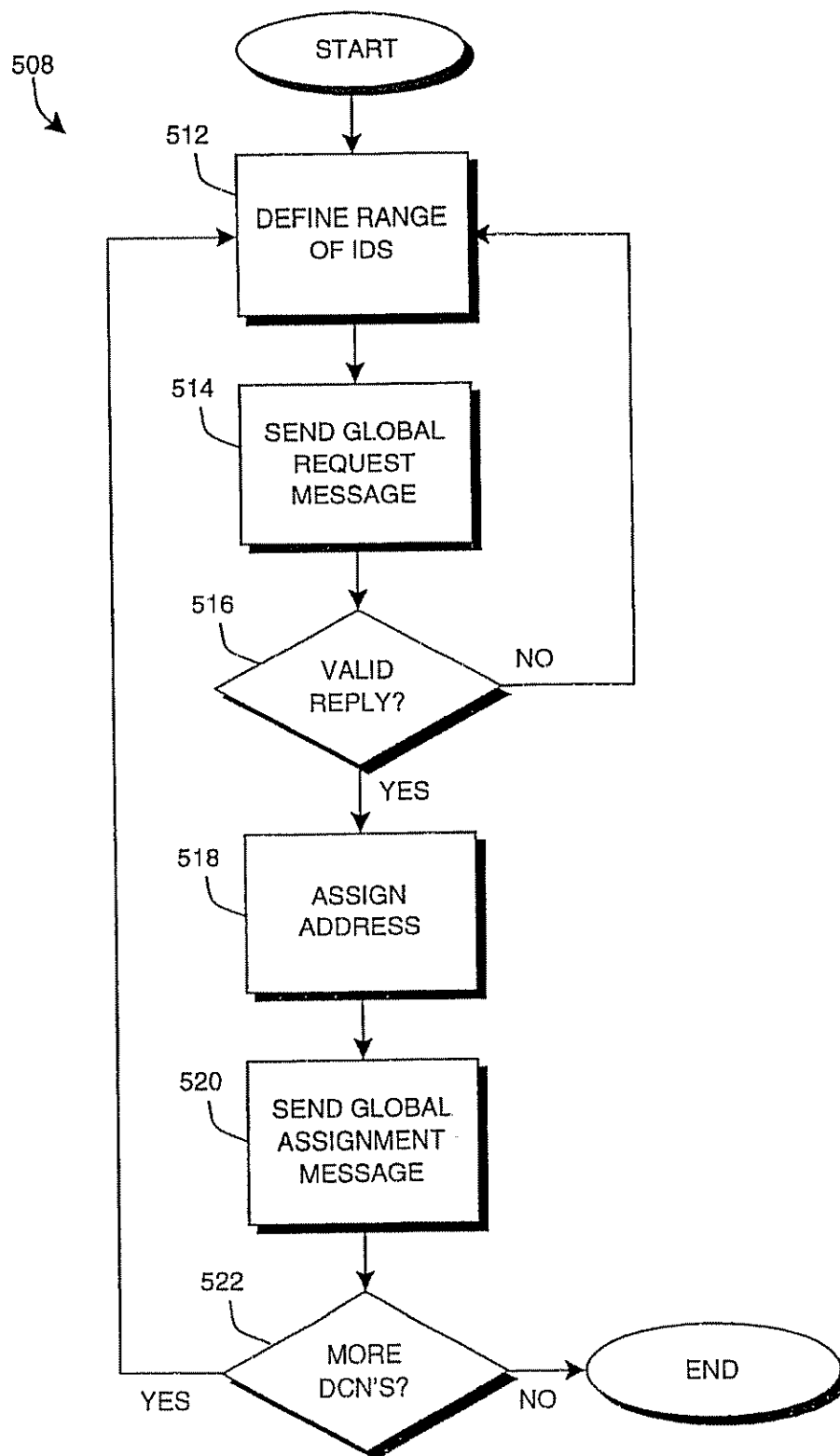


Fig.31

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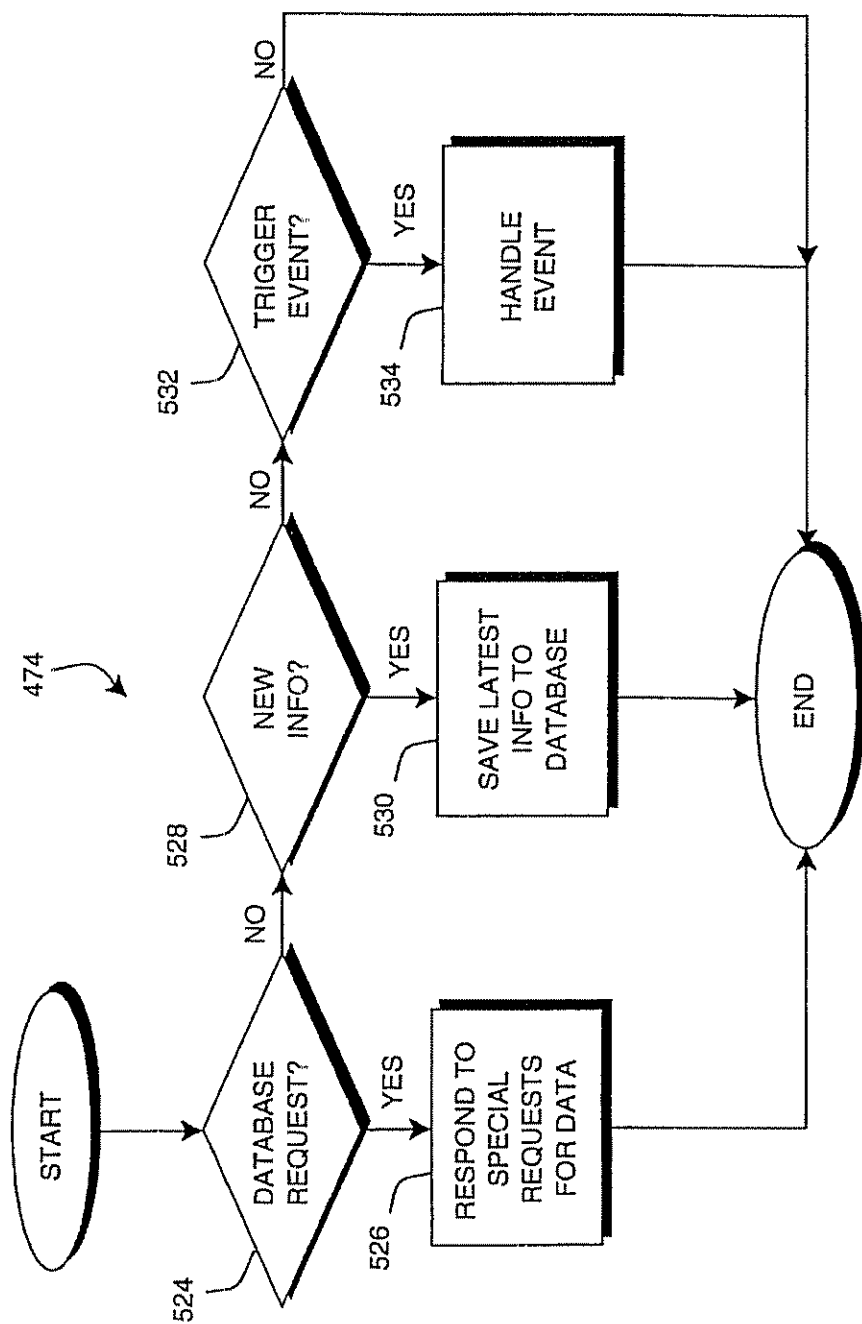


Fig.32

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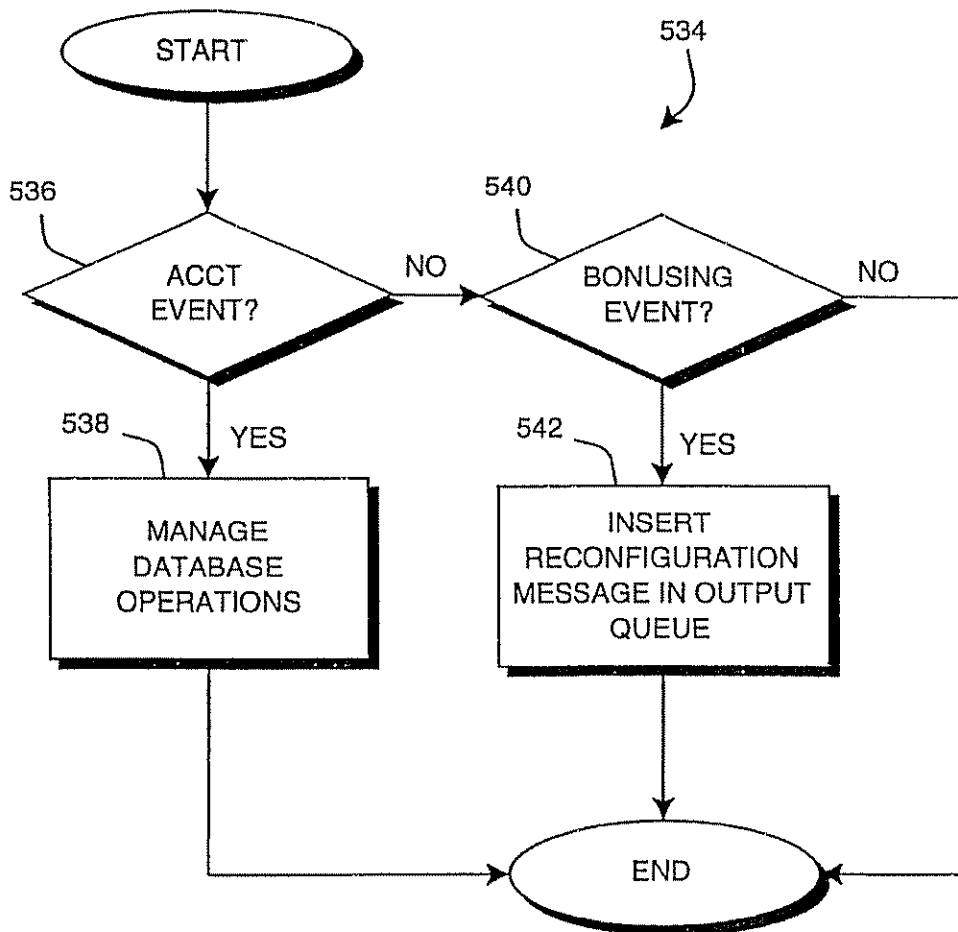


Fig.33

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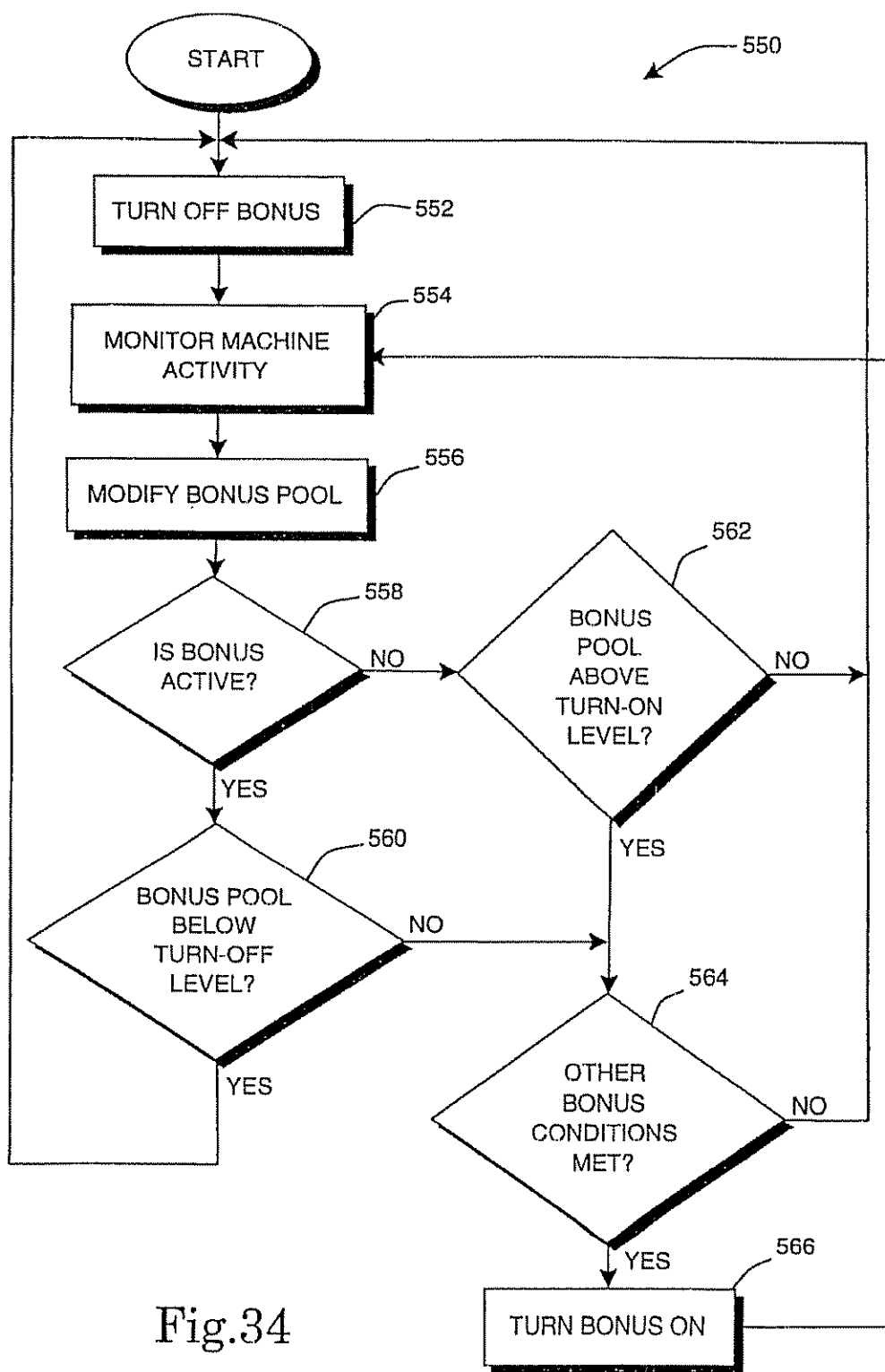


Fig.34